

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36882 of 2025

Arising Out of PS. Case No.-11 Year-2024 Thana- NAUGACHIA District- Bhagalpur

1. Santosh Kumar S/o Bijay Kumar Singh R/o Village- Fardiha, P.S.- Jagdishpur, District- Bhagalpur
2. Chandan Kumar S/o Bablu Singh R/o Village- Fardiha, P.S.- Jagdishpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Singh, Adv.

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 11-09-2025 Heard Mr. Vikram Singh, learned Counsel for the
petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Naugachiya P.S. Case No. 11 of 2024 for the offence registered under sections 366(A)/34 of the IPC.

3. As per the prosecution story, the informant alleged that his daughter went to attend college but failed to return. As she used to talk to the petitioner, sensing untoward incident, the FIR.

4. Learned Counsel for the petitioners submit that they were in relationship, moved on their own, solemnized marriage, a child has also arrived in this world and these facts



were narrated by her under Section 164 of the Cr.P.C.

5. The Co-ordinate Bench had called for the case diary and the statement of the victim girl which have now come and paragraph 64 records the 164 Cr.P.C. Statement of the victim girl which supports the contention put forward by learned counsel for the petitioner inasmuch as she remained with the petitioner for eight months, has given birth to a child, wants to stay with her husband (petitioner herein).

6. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

7. Considering the submissions of the parties as also the materials on record, this Court is inclined to grant them the anticipatory bail with conditions.

8. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate, Naugachia in connection with Naugachiya P.S. Case No. 11 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family



members/relatives of the petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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