

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76306 of 2024

Arising Out of PS. Case No.-824 Year-2023 Thana- MALSALAMI District- Patna

Jeetu Chaudhary @ Jitu Kumar S/O Umesh Chaudhary Resident of Mohalla-
Damrahi Ghat, P.S.- Malsalami, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Adv

For the Opposite Party/s : Mr.Arun Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 01-07-2025 Heard learned counsel for the petitioner, learned
counsel for the Informant and learned APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under sections 363 and 365 of the
Indian Penal Code.

3. The allegation in the FIR is that the minor daughter
of the informant had gone out of the house to meet a boy with
whom her marriage was fixed and did not return. She went
traceless and on her mobile, she was informed that her daughter
was seen with Jitu Kumar, the present petitioner and hence, it
was suspected that she has been taken away by the petitioner
after inducement for marriage.

4. Learned counsel for the petitioner submits that the
present FIR has been lodged after delay of two days inasmuch



as the daughter of the informant went missing on 16.12.2023, whereas the FIR came to be lodged on 18.12.2023 and no explanation has been tendered with regard to such delay. It has further been submitted that after recovery, the statement of the victim girl was recorded by the police under section 161 of the Cr.P.C wherein, she has not taken the name of the petitioner and rather she has stated that she walked out of the house in anger as she had a quarrel with her brother. Subsequently, the girl was also examined under section 164 of the Cr.P.C, where she has given a changed statement making certain allegation against the petitioner. However, after recovery, when the girl was medically examined no injury was found on her private part or any other part of the body and hence, the allegation also does not stand corroborated as per the medical evidence. Further the attention of the court has been invited to a joint compromise petition which has been filed before the court below and as per the same it appears that good relationship has been established between the parties and they do not wish to pursue the present case.

5. The learned counsel for the informant has also filed a counter affidavit and has brought the said joint compromise on record and supports the said compromise.

6. Considering the facts and circumstance of the case,



I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today, the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand)with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/ successor court in Malsalami P.S. Case No. 824 of 2023, subject to condition as laid down under section 438(2) of the Cr.PC .

(Soni Shrivastava, J)

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