

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5517 of 2017

Arising Out of PS.Case No. -101 Year- 2016 Thana -ASAWAN District- SIWAN

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Vikash Prasad, S/o Late Chandraika Prasad, Resident of Village-
Dharmkhor, P.S.- Asaon, District- Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anurag Saurav

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-03-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Asaon P.S. Case No. 101 of 2016 for the offences instituted
under Sections 366 and 366(A)/34 of the Indian Penal Code.

The prosecution case, in brief, is that while the
informant along with his minor daughter was returning home
from market, in the meantime, the petitioner along with co-
accused namely Chotu Kumar Patel and Pradip Prasad threatened
her by showing pistol that if she will lodge any case against him,
her entire family would be killed. Thereafter the informant
returned her home and narrated the entire occurrence to her
husband on phone, who lives at Delhi.

It has been submitted on behalf of the petitioner that the



petitioner has falsely been implicated in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The allegations made in the F.I.R. are denied by the petitioner. The victim has been examined under Section 164 Cr.P.C., where she has not made any allegation of physical or sexual abuse against the petitioner rather she has stated that she had gone to her *Bua* 's place, on her own will.

On behalf of the State and the counsel for the informant, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Asaon P.S. Case No. 101 of 2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Siwan, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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