

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.372 of 2021

Arising Out of PS. Case No.-173 Year-2019 Thana- ATHMALGOLA District- Patna

Saurav Kumar Son of Arvind Singh Resident of Mohalla - Bhavani Vigaha,
Ramchandarpur, P.S. - Silaw, District - Nalanda at Biharsarif

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Advocate
For the State : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 22-02-2021 Heard learned counsel for the petitioner and the learned
APP for the State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Athmalgola PS Case No.173 of 2019 instituted for the offence under Sections 366A, 504, 506/34 of the Indian Penal Code.

The prosecution case is that co-accused Vikky Kumar has taken away the informant's daughter on a motorcycle. The petitioner's complicity has surfaced during investigation.

The petitioner's counsel submits that he has not been named in the First Information report. His implication is false and based on suspicion. Statement of the victim girl has been recorded under Section 164 Cr PC which is annexed as Annexure-2 to the petition, wherein, she has not stated the petitioner's name. The other co-accused, persons, namely,



Chhotel Lal @ Chhotu Kumar, Kiran Devi and Suresh Singh have been allowed anticipatory bail in Cr. Misc No 16084 of 2020, 560 of 2020 respectively. The other accused persons, namely, Rana Pratap Singh @ Raja Pratap Singh, on whose confessionals statement, the name of the petitioner has transpired, has already been allowed bail in Cr. Misc. No. 33208 of 2020. The petitioner is in custody since 07.11.2019.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Barh, District-Patna, in connection with Athmalgola PS Case No.173 of 2019, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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