

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.206 of 2021

Arising Out of PS. Case No.-360 Year-2020 Thana- GARDANIBAG District- Patna

ROCKY KUMAR Son of Faudari Choudhary Resident of Mohalla- Purani
Jakkanpur, D.V.C. Chowck, Near Durga Mandir, P.S.- Jakkanpur, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey

For the Opposite Party/s : Mr. Abhay Kumar No. 1 APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-09-2021 Heard learned counsel for the petitioner and the
State through virtual mode.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

At the outset, learned counsel for the petitioner seeks permission to correct “Jakkanpur P.S. Case No. 360 of 2020” mentioned in paragraph-1 & prayer portion of the application as “Gardanibagh P.S. Case No. 360 of 2020”.

Permission is granted.

Let “Jakkanpur P.S. Case No. 360 of 2020” be read as “Gardanibagh P.S. Case No. 360 of 2020” at paragraph-1 and the prayer of the bail application.

The petitioner is apprehending his arrest in Gardanibagh



P.S. Case No. 360 of 2020, registered under Sections 363, 366A/34 of the Indian Penal Code.

The prosecution case, in short, is that while the informant along with her daughter Suman Kumar, was sitting at home, the accused persons came and enticed away the informant's daughter.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. The victim has been examined u/S 164 Cr.P.C. in which, she has denied the allegation made in the FIR. Even she denied her abduction also.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Sub Judg-XIV-cum-ACJM, Patna in connection with Gardanibagh P.S. Case No. 360 of 2020 subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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