

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3206 of 2022

Arising Out of PS. Case No.-315 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

1. ABHISHEK KUMAR S/O PREM NATH DAS R/o village- Vishnupur, Ward No. 42, P.S.- Town, District- Begusarai
2. Avinash Kumar @ Avinash Kumar Das S/o Prem Nath Das R/o village- Vishnupur, Ward No. 42, P.S.- Town, District- Begusarai
3. Mani Devi W/o Prem Nath Das R/o village- Vishnupur, Ward No. 42, P.S.- Town, District- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-07-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 363, 366(A), 34 of the Indian Penal Code.

Allegedly, the daughter of the informant has been



seduced and taken away by petitioner no.1 and when the informant went to the petitioners house, they abused and threatened him.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is no specific overt act against the petitioners. The date of occurrence is 02.05.2021 but the F.I.R. has been lodged on 13.05.2021 i.e. after a delay of ten days, without giving any plausible explanation. It is further submitted that though the victim is a minor but she has not supported the prosecution case in her statement recorded u/s 164 Cr.P.C. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, considering that the victim has not supported the prosecution case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five



Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Begusarai Town P.S. Case No.315 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

