

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17072 of 2021

Arising Out of PS. Case No.-116 Year-2020 Thana- UJIYARPUR District- Samastipur

RAJ KUMAR @ RAJ KUMAR SINGH S/o Late Bindeshwar Prasad Singh
R/o village- Akaha, Vishanpur, P.S.- Ujiyarpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mirtyunjay Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr. Kumar Veerendra Narayan, APP
For the Informant	:	Mr. Dharamveer, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-05-2022 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 363, 366 and 366-A/34 of the Indian
Penal Code.

The prosecution allegation, in short, is that the
daughter of the informant left the house and later did not return.
The informant suspects that accused persons might have
abducted her.

It has been submitted on behalf of the petitioner that



there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case at the instance of parents of the victim. From perusal of Annexure-3 to the supplementary affidavit, it appears that in respect of trial of co-accused, the victim has retracted from her statement made under Section 164 Cr.P.C. The victim has very categorically stated that she was never abducted nor any sexual or physical assault was made to her. When the Court below put question in respect of her earlier statement made before the Magistrate under Section 164 Cr.P.C., she has very categorically stated that the said statement before the Magistrate was made under undue influence of her parents and upon pressure made by the police officer.

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

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Dalsingsarai, Samastipur in connection with Ujiyarpur P.S. Case



No. 116/2020, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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