

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8701 of 2022

Arising Out of PS. Case No.-141 Year-2021 Thana- IMAMGANJ District- Gaya

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1. SANJAY KUMAR @ SANJAY KUMAR DAS SON OF RAMESHWAR DAS R/O VILLAGE- BAGEYA, P.S.- IMAMGANJ, DIST.- GAYA
 2. VINAY KUMAR @ VINAY RAVIDAS SON OF CHANDRADEV DAS R/O VILLAGE- NAWADIH, P.S.- GENJNA, DIST.- CHATRA, JHARKHAND

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 17-10-2022 Learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail with respect to petitioner no. 1 namely, Sanjay Kumar @ Sanjay Kumar Das.

Permission is accorded.

Heard learned counsel for the petitioner no. 2 and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period of four weeks.

The petitioner no. 2 apprehends his arrest in a case registered for the offences punishable under Sections 363, 365, 341, 323, 379, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioner no. 2 submits that petitioner no. 2 is a person with clean antecedent.



The informant alleges that she had filed a case against Dy.S.P. Kamal Kant and recorded her statement under Section 164 Cr.P.C. and after recording of her statement her brother Sanjay Kumar Das kidnapped her and took her to her maternal grandfather's house situated at Hantarganj, Jharkhand. It is further alleged that informant's brother took her signature on the blank paper and he along with her cousin Vinay Kumar (petitioner no. 2) used to beat her and even administered medicine and injection and under the influence of medicine, they brought her to Gaya Court. It is further alleged that they intimidated and threatened her to give statement in favour of Dy.S.P. Kamal Kant and the informant under the influence of medicine and fear recorded her statement before the Court and said that Dy.S.P. has not done anything to her. It is further alleged that on 4th August, she informed to her brother Sunil to pick her from there when the accused persons reached and started assaulting her brother Sunil and also snatched his mobile and wallet but the informant somehow managed to escape and thereafter the present case was registered.

Learned counsel for the petitioner no. 2 submits that petitioner no. 2 has been falsely implicated in the present case and he is own maternal brother of the informant and Sanjay



Kumar Das, who has been arrested during the pendency of the case, is his own brother. He further submits that it absolutely does not stand to reason that why own brother of the informant along with his cousin would indulge in such an activity. He next submits that the FIR even does not disclose the date or time of the occurrence which creates doubt with regard to the veracity of the allegation.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner no. 2, the petitioner no. 2 above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) 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 Imamganj P.S. Case No. 141 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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