

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.38033 of 2021**

Arising Out of PS. Case No.-81 Year-2019 Thana- NOWKOTHI GARHPURA District-  
Begusarai

=====

VIJAY RAJAK Son of Ful Chandra Rajak Resident of Ward No.08, Tola-  
Jeetpur, Samsa, P.S.- Nowkothi, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Pritish Kumar Lal  
For the Opposite Party/s : Mr.Rajendra Prasad Nat

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER**

5      29-08-2022                      Heard learned counsel for the petitioner and the State.

The petitioner seeks anticipatory bail in Nowkothi PS  
Case No. 81 of 2019 instituted for the offence under Sections  
364 and 34 of the Indian Penal Code.

As per prosecution case, while the informant's  
nephew was returning from the fair it is alleged that seven  
persons including the petitioner have abducted him. In the past  
also it is alleged that accused persons have meted out threats  
and there is recovery of blood stained cloth from the Jeetpur  
Bahiar based on which the case has been lodged as murder case.

Learned counsel appearing for the petitioner submits  
that petitioner is innocent and has falsely been implicated in the  
case. Informant is not an eye witness of the occurrence. As a



matter of fact the victim was let off by the accused on realizing that they abducted wrong person. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1<sup>st</sup> class, Begusarai in connection with Nowkothi PS case No. 81/ 2019, subject to conditions laid down u/s 438(2) of the Cr. P. C.

**(Prabhat Kumar Singh, J)**

BKS/-

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