

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28540 of 2022

Arising Out of PS. Case No.-466 Year-2021 Thana- JAMUI District- Jamui

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PRAVEEN RABIDAS @ PRAVEEN PRASAD Son of Nepali Rabidas
Resident of Village - Baruata, P.S.- Jamui, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 30261 of 2022

Arising Out of PS. Case No.-466 Year-2021 Thana- JAMUI District- Jamui

=====

NEPALI RABIDAS Son of Late Wado Rabidas Resident of Village - Baruata,
P.S.- Jamui, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 28540 of 2022)

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

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

For the Informant : Mr. Bharat Lal, Advocate

Mr. Rabindra Kumar, Advocate

(In CRIMINAL MISCELLANEOUS No. 30261 of 2022)

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

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

For the Informant : Mr. Bharat Lal, Advocate

Mr. Rabindra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 22-12-2022

CRIMINAL MISCELLANEOUS No.28540 of 2022

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 363, 366,
504 and 34 of the Indian Penal Code.



Learned counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that his daughter was kidnapped by the accused persons including the petitioner as disclosed by Pratima with whom the victim had gone to fill the college form.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that statement of the victim was recorded under Section 164 Cr.P.C. wherein she has stated that she was taken to Panipat by Nepali, petitioner, and Rajesh where Rajesh even married her but then she also states that both Rajesh and this petitioner forcefully committed illegal act.

Learned counsel for the petitioner next submits that it absolutely does not stand to reason that when Rajesh had married the victim, where was the occasion for Praveen to commit any act when both Rajesh and Praveen are own brother and are sons of Nepali.

Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail of the petitioner and submits that the victim has supported the case of the prosecution in her statement recorded under Section 164 Cr.P.C. It is also submitted that despite Rajesh marrying her, still



allowed Praveen to have access.

Considering the submissions made by the learned counsel for the informant, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

Accordingly, the present anticipatory bail application stands rejected.

CRIMINAL MISCELLANEOUS No. 30261 of 2022

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 363, 366, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and came to be implicated in the present case as he is the father of Praveen and Rajesh and the informant alleges that his daughter was kidnapped by the accused persons including the petitioner as disclosed by Pratima with whom the victim had gone to fill the college form.

Learned counsel for the petitioner submits that it absolutely does not stand to reason that the father would help the son to commit such heinous occurrence. It is also submitted



that petitioner has been falsely implicated only to coerce his sons into submission.

Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court 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 trial court where the case is pending/successor court in connection with Jamui P.S. Case No. 466 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, the present anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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