

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29543 of 2022

Arising Out of PS. Case No.-564 Year-2004 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

=====

Ramnaresh Prasad @ Bhola Jee @ Bhola @ Bhola Prasad, Son Of Late
Vishwanath Prasad Resident Of Mohalla - Amgola, Pankha Toil, P.S. - Kazi
Mohammadpur, District - Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Yugal Kishore

For the Opposite Party/s : Mr. Mukesh Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-11-2022 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in a
case registered for the offences punishable under Sections 364, 365,
367, 368 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant alleges
that petitioner along with Krishna Devi took along with them his
major son in good faith, but his son did not return. On query, the
accused persons disclosed that he has gone to Patna and will come
back after a week. Further, after one week, when again the informant
inquired, Krishna Devi was not able to give any satisfactory
explanation. Thus, a complaint case was instituted alleging that his
son was abducted for some illegal purpose or might have been killed



and based on the complaint, the present F.I.R. came to be instituted.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is next submitted that Krishna Devi was her tenant and the son of the informant was having illicit relation with Krishna Devi. It is next submitted that even petitioner used to object such activities in his house by his tenant. It is further submitted that petitioner requested Krishna Devi to vacate his house and thereafter, the house was vacated as such, petitioner thereafter never had any contact with Krishna Devi. It is also submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant alleges that subsequently after a week when he asked about his son, then Krishna Devi was not able to give any satisfactory explanation. The learned counsel thus submits that since Krishna Devi was the tenant of this petitioner, as such, the informant for reason best known implicated him. The learned counsel next draws the attention of the Court to the impugned order to submit that from perusal of Para-78 of the case diary, it manifests that Krishna Devi was tenant of the petitioner, who was a lady of easy virtue and was having intimate relationship with the abducted son of the informant.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

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 Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Town P. S. Case No.564 of 2004, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

However, if any application is filed by the Investigating Officer of the case before the learned trial Court bringing to its notice that the petitioner after his release on anticipatory bail is not cooperating in the investigation, the learned trial Court shall cancel his bail bonds after recording reasons.

(Satyavrat Verma, J)

vikash/-

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

