

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39959 of 2022

Arising Out of PS. Case No.-813 Year-2019 Thana- BANKA District- Banka

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1. GUNJAN YADAV @ GUNJAN KUMAR S/O BHOLA YADAV Resident of Village- Belutikar, P.S.- Banka, District- Banka.
 2. BHOLA YADAV S/O LATE SIDHAN YADAV Resident of Village- Belutikar, P.S.- Banka, District- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners files a supplementary affidavit whereby the pleadings made at Para-1 and the affidavit portion of the anticipatory bail application stands rectified.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 366(A) and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and are son and father and the informant alleges that one Praful called and



informed him that victim is with him in Hyderabad, further alleges that Praful had taken his daughter to Hyderabad along with Bhola and Gunjan.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that police after investigation submitted final form, as would be evident from Annexure-2 to the anticipatory bail application, it is further submitted that the learned trial court differing with the police report and took cognizance of the offence against the petitioners, it is also submitted that once an Investigating Agency after further investigation found the petitioners to be innocent, sending them to jail merely on the ground that based on the same investigation. The learned trial court has differed and taken cognizance, would amount to travesty of justice.

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

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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. 5,000/- (Rupees



Five Thousand) each 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 Banka (Barahat) P.S. Case No. 813 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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