

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57273 of 2021**

Arising Out of PS. Case No.-156 Year-2016 Thana- MADHUBANI TOWN District-
Madhubani

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KRISHNADEO RAY @ KRISHNADEV AZAD Son of Sri Gajadhar Prasad
Yada @ Gajadhar Ray Resident of Village - Barji, P.S.- Motipur, Distt.-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Advocate
For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 25-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 364,
377/34 of the Indian Penal Code read with Section 4 of the
Protection of Children from Sexual Offenses Act, 2012.

Learned counsel for the petitioner submits that
petitioner has antecedent of four cases.

The informant alleges that he along with his wife and
younger brother had gone for selling bangles and when his
younger brother demanded food from his wife she slapped him
saying that money will be given only when she earns some



money by selling the bangles on which he ran away. It is alleged that on 17.04.2016 the informant saw a Scorpio bearing no. 1777 near his house on which 4-5 boys were sitting along with his brother and they dropped a letter on which a mobile number as detailed in the FIR was written and asked the informant to handover the same to Jhulpendra Singh Ardin.

Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that the same appears to be absurd and cryptic. It is next submitted that it absolutely does not stand to reason that the accused persons along with the victim would come to the house of the informant and, thus, would create evidence against themselves as informant would have identified the accused. It is next submitted that petitioner is not named in the FIR and his name transpired during the course of investigation. It is further submitted that the petitioner has been falsely implicated in the present case as the victim has not even named the petitioner in his statement recorded under Section 164 Cr.P.C. (Annexure-3).

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, 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, 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 Madhubani Town P.S. Case No. 156 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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