

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58493 of 2021

Arising Out of PS. Case No.-84 Year-2020 Thana- HARSIDHI District- East Champaran

DADAN KUMAR @ DADAN YADAV S/o JAGAT YADAV R/o VILLAGE-
SONVARSHA, P.S-HARSIDHI, DISTRICT-EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar, Advocate
For the Opposite Party/s : Mr.Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 11-07-2022 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, 365, 366 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that his wife is missing since 12.12.2019 and despite search, she could not be located and the Officer-in-Charge of the concerned police station based on the mobile number of his wife informed after taking out the call details that she used to talk to Dadan Yadav (petitioner) and Arun Yadav, thus alleges that when he came to know that his wife used to talk to the aforesaid persons he suspected that they might have kidnapped her.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that it absolutely does not stand to reason that when the wife of the informant was missing since 12.12.2019 then why the F.I.R. came to be instituted on 11.03.2020 i.e., after a delay of nearly three months and that too without any plausible explanation. Learned counsel further submits that no husband would have waited for so long for getting the F.I.R. instituted when his wife was missing, it is next submitted that it appears that the informant might have committed some occurrence and in order to destroy evidence and to derail the investigation, he instituted the F.I.R. at such a belated stage.

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 and the fact that there is an inordinate delay in instituting the F.I.R. without any plausible explanation, 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 Harsidhi P.S. Case No. 84 of 2020 subject to
the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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