

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63380 of 2021

Arising Out of PS. Case No.-151 Year-2021 Thana- ATHMALGOLA District- Patna

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Bipin Kumar Son of Sobhi Chaudhari @ Shobhi Sahni Resident of Village-
Saristapur, P.S.- Athmalgola, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap

For the Opposite Party/s : Mr.Tapeshwar Sharma

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 14-06-2022 The learned counsel for the petitioner is directed to re-

move all the defects pointed out by the Stamp Reporter within one
month.

Heard leaned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks anticipatory bail in connection
with Athmalgola P.S. Case No. 151 of 2021, registered for the
offences under Sections 363, 366A of the Indian Penal Code.

The main submissions advanced by learned counsel
for the petitioner are that the petitioner is not named in the FIR,
the FIR was lodged against one co-accused namely Satish ku-
mar and petitioner's, name came out in the statement of so
called victim recorded under Section 164 Cr.P.C, and petitioner
is sated to be a friend of the main accused and according to the
victim he simply helped the main accused in taking the victim
from her house. Further submission is that petitioner is a student
of B.A. part-I.



Learned APP has opposed the prayer of bail.

Heard both the sides and perused the FIR and the order of the Court below.

The victim has been recovered and her statement has been recorded under Section 164 Cr.P.C and she has named this petitioner being involved in her kidnapping and she has revealed specific role of this petitioner in the commission of the alleged kidnapping. Considering the aforesaid facts, I am not inclined to grant anticipatory bail to the petitioner.

However, considering petitioner's clean antecedent mentioned in para 3 of the petition and the factum of victim's recovery as well as petitioner's academic career and age, petitioner is directed to surrender before the Court below if he surrenders within 25 days from this order then the learned Court below will decide his regular bail prayer without being prejudiced with this order according to merit but keeping in view the factum of the recovery of the victim.

Accordingly, with the above observations the Cr. Misc. filed by the petitioner for the relief of bail stands disposed of.

(Shailendra Singh, J)

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