

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11777 of 2021**

Arising Out of PS. Case No.-116 Year-2020 Thana- UJIYARPUR District- Samastipur

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BHOLA PRASAD @ BHOLA RAY, S/O DEV LAL RAY RESIDENT OF
VILLAGE - SATANPUR, BADHURA, P.S. - UJIRPUR, DISTRICT -
SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1

For the Opposite Party/s : Mr.APP

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

3 22-02-2022 Heard Mr. Mukesh Kumar No. 1, learned Advocate

for the petitioner and Mr. Yogendra Kumar Singh, learned

APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Ujiarpur P. S. Case No. 116 of
2020, instituted for the offences under Sections 363, 366,
366A and 34 of the Indian Penal Code.

Though this case was initially filed for offences
under Sections 363, 366, 366A/34 of the Indian Penal Code
but the victim in her statement under Section 164 Cr.P.C.
has alleged physical misdemeanor against the petitioner.

Considering the afore-noted statement of the



victim girl, I am not inclined to grant anticipatory bail to the petitioner, notwithstanding the fact that the learned Advocate for the petitioner has shown several circumstances which indicate that the petitioner was only offering a helping hand in the recovery of the girl.

The learned Advocate for the petitioner submits that the petitioner himself went to the father of the victim and told her that she is at a particular destination.

Be that as it may, considering the afore-noted accusation in the 164 statement, I am not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail is rejected.

Should the petitioner surrender before the court below and seek bail, his application shall be considered on its own merits, without being prejudiced by the fact that the present petition on his behalf has not been entertained by this Court.

(Ashutosh Kumar, J)

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