

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66897 of 2021

Arising Out of PS. Case No.-253 Year-2021 Thana- MALSALAMI District- Patna

SANTOSH KUMAR S/o Sanjay Kumar Resident of Village - Murli Chak,
Jagdeo path P.O. and P.S. - Hawaii Adda, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saket Anand

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 28-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Malsalami P.S. Case no. 253 of 2021 instituted for the offence punishable under Sections 363, 365, 379/34 of the Indian Penal Code.

As per allegation in the FIR, wife of the informant had not returned from college and informant has strong suspicion against the petitioner that he has abducted his wife as petitioner and informant's wife were in talking term since long.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. There is unexplained delay of more than three days in



lodging the FIR, which creates doubt in truthfulness of the prosecution story. He has been falsely implicated in this case only with a view to harass and humiliate him. Both parties are known to each other and there was love affair between them.

Learned counsel for the informant and learned APP appearing for the State have opposed the prayer of bail and submitted that in para nos. 45 and 46 of the case diary victim has supported the prosecution story which are her statements recorded under Section 161 and 164 Cr.P.C. wherein she disclosed about the complicity of the petitioner in her abduction. She has further alleged in her statement that after intoxicating her, petitioner had taken her nude photographs and threatened her to make it viral.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of abduction against the petitioner, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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