

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20617 of 2023

Arising Out of PS. Case No.-415 Year-2021 Thana- GAYA MUFASIL District- Gaya

BITTU KUMAR SON OF DILIP CHAND YADAV R/O MOHALLA-
MAHADIPUR KOTHI, P.S.- MUFFASIL, DISTRICT- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Kumar

For the Opposite Party/s : Ms.Rita Verma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-06-2023 Heard the parties.

The petitioner apprehends his arrest in connection with Muffasil PS Case No. 415 / 2021 dated 22-08-2021 registered under Section 363 / 323 / 376 / 511 / 34 of the IPC .

As per the FIR while the informant was going to attend the birthday party of her friend, she was intercepted by the accused persons named in the FIR i.e. Bablu Yadav and Suraj Yadav, who offered her lift and when the informant agreed to ride on the motorcycle, she was taken near the river Falgu and there the accused persons outraged the modesty of the informant and tried to commit rape upon her and 2-3 unknown persons also joined the accused persons in the offence.



Learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name has transpired during the course of investigation on the basis of recovery of the motorcycle being driven by Suraj Yadav from the place of occurrence, which belongs to the petitioner. Learned counsel referring to paragraph 11 of the bail application submits that in fact Suraj Yadav is the friend of the petitioner and he had borrowed the motorcycle from the petitioner on the date of occurrence and the petitioner was not aware about the intention of the co-accused / Suraj Yadav regarding commission of offence.

Regard being had to the submission made by the parties, taking into consideration the submission advanced by petitioner that he has been made accused on the basis of recovery of vehicle which belongs to the petitioner, I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate-1st Class, Gaya in connection with Muffasil



PS Case No. 415 / 2021 subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

