

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23625 of 2023

Arising Out of PS. Case No.-401 Year-2020 Thana- CHANDI District- Nalanda

BANTI PRASAD @ BANTI KUMAR Son of Umesh Prasad R/o Kismirya
PS- Fatuha Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Kashyap
For the Opposite Party/s : Mr. Asha Devi

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-07-2023 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 Section 366 of the Indian Penal Code.

The informant alleges that he was married in the year 2012 and his wife is mentally weak, further, on 22.08.2020, she went out of the house but did not return, thereafter, search was made when he came to know that the petitioner enticed her and took her somewhere.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is



next submitted that the victim has come back and her statement, under Section 164 CrPC, was recorded wherein she has said that she accompanied someone whom she did not recognize, as such, it is submitted that she did not disclosed the name of the petitioner but then in the later part of her statement on asking, she has stated that she knows the petitioner and it was the petitioner who had taken her on a bike.

Learned counsel for the petitioner thus submits that the statement of the victim is dichotomic as in the first part she states that she does not know who took her and in the subsequent part she states, on asking, that she knows the petitioner and she accompanied him, it is further submitted that the date of occurrence is 22.08.2020 and the FIR was instituted on 02.09.2020 i.e., after a delay of more than ten days.

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, the petitioner above-named, in the event of his arrest or surrender before the learned trial court 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 trial court where the case is pending/successor court in connection with Chandi P.S. Case No. 401 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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