

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40961 of 2023

Arising Out of PS. Case No.-158 Year-2023 Thana- BUXAR District- Buxar

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PRAKASH KUMAR @ VICKY SON OF MARKANDAY GUPTA @
MARKANDEY PRASAD RESIDENT OF VILLAGE -NAI BAZAR SOHNI
PATTI, PS- NAGAR DISTRICT -BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Mr. Atul Chandra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 03-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 366 of the
Indian Penal Code.
3. The informant alleges that petitioner kidnapped his
married daughter Razia Sultan on 11.03.2023.
4. Learned counsel for the petitioner submits that the
petitioner has antecedent of one case under Section 498(A) of
the Indian Penal Code read with other Sections of the Indian
Penal Code, it is next submitted petitioner has been falsely
implicated in the present case, it is next submitted that petitioner
at the time of occurrence was on duty, it is also submitted that



earlier also the victim had fled from her house and had gone to stay with her maternal uncle and aunt and when she came back she informed the concerned P.S. that being aggrieved by the conduct of her father she had left the house on her own will and had gone to stay with her maternal aunt. It is further submitted that it appears this time also the victim left the house because of the conduct of the informant and the petitioner came to be implicated. The learned counsel further submits that petitioner is a police man and thus will not abscond rather will cooperate in the investigation and will present himself as and when required by the investigating officer of the case for eliciting the truth and proving his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. 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 Buxar (Town) P.S.



Case No. 158 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event, if the investigating officer of the case files an application before the learned trial Court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself when called for the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

8. Let a copy of this Order be sent to the concerned P.S. through the learned Trial Court.

9. Further, in the event, if charge sheet is submitted against the petitioner connecting him with the offence in that event, the present anticipatory bail order shall loose its effect.

(Satyavrat Verma, J)

GauravSinha/-

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