

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 62138 of 2023

Arising Out of PS. Case No.-177 Year-2023 Thana- ATRI District- Gaya

Sudhir Sao Son of Krishna Sao R/o village - Tehta, P.S. - Tehta, Distt. -
Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Atri P.S. Case No. 177 of 2023 dated 07.04.2023 instituted for
the offence punishable under Sections 366(A), 504, 506/34 of
the Indian Penal Code.

3. The prosecution case, in short, is that on
02.04.2023 at 5 am, the daughter of the informant went for walk
but she did not return. On search, the informant came to know
that Rohit Rana has taken away his daughter forcibly by a
private vehicle. Thereafter the informant went to his house
where his father Surendra Prasad, Vicky Kumar, his mother and
the petitioner started abusing him. It is alleged that they would
kill his daughter.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner is the brother-in-law of Rohit Rana. Learned counsel for the petitioner submits that during the course of investigation, the police recovered the victim girl and produced her before the Magistrate for recording statement u/s 164 of the Cr.P.C. Learned counsel for the petitioner submits that from perusal of the statement u/s 164 Cr.P.C., it is apparent that the petitioner has no role in the entire episode. It is submitted that victim girl stated in her statement that she eloped from the house voluntarily because her father and mother always used to beat her. She went to Delhi where she did service in Krishna Complex about one and half month and when she came to know that her parent dragged innocent person in this case, she returned. Learned counsel for the petitioner submits that First Informant Report has been lodged after five days from the alleged date of occurrence without any explanation. Lastly, it has been submitted that petitioner has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Atri P.S. Case No. 177 of 2023, he will be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M, Gaya, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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