

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64286 of 2022

Arising Out of PS. Case No.-562 Year-2021 Thana- KHAJANCHI HAT District- Purnia

UDAY KUMAR ROY @ KALU Son of Jai Chand Roy Resident of Naya Tola, Line Bazar, Ward No.-20, P.S.- Khat(Sahayak), District- Purnea, PIN Code- 854301.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Hare Ram Sah, Advocate
For the State : Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with KHAT Sahayak P.S. Case No.562 of 2021, registered for the offences punishable under Sections 366 and 511 of the Indian Penal Code and Sections 25(1-b)a, 26 of the Arms Act.

Co-accused, Aryan Yadav is said to have tried to kidnap the daughter of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that the petitioner is not named in the FIR.



The petitioner is made accused in the present case on the basis of statement of the victim recorded under Sections 164 Cr.P.C. It is also submitted that no specific overt act is alleged against the petitioner.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner by submitting that the victim has supported the prosecution case in her statement recorded under Section 164 Cr.P.C.

Considering the nature of offence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to the petitioner is hereby rejected.

However, if petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the learned court below shall consider the prayer for regular bail of the petitioner preferably on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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