

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72071 of 2023**

Arising Out of PS. Case No.-266 Year-2022 Thana- GAYA MUFASIL District- Gaya

Shiv Shankar Sao @ Shiv Shankar Prasad Son Of Neel Kanth Sao R/O  
Village- Mashouha, P.S.- Nadriganj, Dist.- Nawadah

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Prakash Chandra Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      29-11-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 376, 420, 313, 504 and 506/34 of the Indian Penal Code and Section 3/4 of the D.P. Act pending in the learned court below.

3. As per the prosecution case, one Pawan Kumar Gupta is said to have established sexual relation with the complainant on the pretext of the marriage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioner. He submits that there is no specific overt act against the petitioner. He further submits that petitioner is father of the co-accused Pawan Kumar Gupta. He



further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes for prayer for bail.

6. Considering the aforesaid facts and circumstances and the fact that there is no specific overt act against the petitioner, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Gaya Muffasil P.S. Case No.266 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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