

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71712 of 2022

Arising Out of PS. Case No.-232 Year-2021 Thana- GAUTAMBUDHNAGAR District-
Siwan

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MURAT KUMAR @ MURAT BAITHA S/O JALESHAR BAITHA Resident
of village- Pandeypur, P.S.- G.B.- Nagar, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 363(A), 366(A) and 34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, the daughter of the informant has eloped away with co-villager Dipu Mahto with the help of other co-accused including petitioner for the purpose of marriage or selling her.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that due to malice intention the



petitioner has been made accused in this case. He fairly submits that the bail application of the similarly situated other co-accused persons has been dismissed by this Court. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submitted that the allegation levelled as the petitioner is serious in nature. Hence, he does not deserve anticipatory bail.

Considering the facts and circumstances of the case and the fact that similarly situated other co-accused person was not granted bail by this Court, I am not inclined to enlarge the petitioner on bail in connection with G.B. Nagar P.S. Case No.232/2021. Accordingly, this application stands disposed of.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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