

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37008 of 2024

Arising Out of PS. Case No.-272 Year-2019 Thana- SARAI District- Vaishali

Azit Kumar Thakur @ Ajit Kumar, Son of Ajay Thakur, Resident of Village -
Akbar Mlahi Sarai, P.S.- Sarai, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this present case, the petitioner is apprehending his arrest in connection with Sarai P.S. Case No. 272 of 2019, registered on 23.07.2019 for the offences under Sections 363 and 366/34 of the Indian Penal Code.

3. As per prosecution case, petitioner and other co-accused persons kidnapped the sister of the informant.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has no concern with the alleged offence. The informant has not stated about the exact date when her sister disappeared or was kidnapped. There is general and non-specific allegation against the petitioner.



From the facts of the case, no offence under Sections 363 and 366 IPC is made out against the petitioner as the case has been lodged against him merely on suspicion. The victim lady has been traced and her statement under Section 164 Cr.P.C. was recorded wherein she absolved the petitioner from any wrong doing. The victim lady has solemnized her marriage with some other person who is not the accused in the present case. The petitioner is having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the completely vague nature of allegation against the petitioner and also considering the clean antecedent of the petitioner coupled with possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned ACJM-XIII-cum-Sub Judge-XIV, Hajipur, Vaishali/concerned court in connection with Sarai P.S. Case No. 272 of 2019, subject to the conditions



as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

U		T	
---	--	---	--

