

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53669 of 2023

Arising Out of PS. Case No.-235 Year-2023 Thana- AMARPUR District- Banka

Rahul Yadav @ Rahul Kumar Parasar Son Of Sankar Yadav Resident Of
Village- Salempur, Ps- Amarpur, Dist- Banka, Pin- 813101

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Narendra Kumar Choubey, Adv
		Mr. Rakesh Kumar Ranjan, Adv
For the Opposite Party/s :		Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 01-04-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State along with learned counsel appearing
on behalf of OP No. 2.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
420, 376, 504 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and has been
falsely implicated in the instant case by the informant. It is next
submitted that from perusal of the allegation as alleged in the
FIR, it would manifest that the allegations are cryptic, vague,
and thus does not inspire confidence. It is next submitted that
the informant alleges that the petitioner, on pretext of marriage,



established physical relations with her many times and when she went to complain about the same to his family members, she was assaulted.

4. The learned counsel submits that from bare tenor of the allegation as alleged in the FIR, it manifests that the informant does not even remotely suggest that since when the petitioner on pretext of marriage was establishing physical relations, when she came to know about the petitioner, how she came to know the petitioner, it is thus submitted that essential details are lacking, which casts an aspersion on the case of the prosecution.

5. Learned A.P.P. for the State along with learned counsel for the OP No. 2 opposes the prayer for anticipatory bail of the petitioner, but then are not in a position to rebut the submission of the learned counsel to the petitioner that the allegations in the FIR are cryptic, vague, and does not inspire confidence.

6. At this stage, the learned counsel for the petitioner submits that petitioner will not abscond, rather will cooperate in investigation.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the



event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Amarpur P.S. Case No. 235 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner, despite giving assurance to this court, is not cooperating in the investigation in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

(Satyavrat Verma, J)

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