

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59496 of 2024

Arising Out of PS. Case No.-191 Year-2024 Thana- DIGHA District- Patna

Rohit Kumar S/o- Deo Kumar Sao @ Jai Kumar @ Raj Kumar Saw R/o-
Ramji Chak Ps- Digha Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh No. I

For the Opposite Party/s : Ms.Asha Devi

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-09-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 363, 365, 366(A)/ 34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that his minor daughter was enticed by the
petitioner and Ranjan and they kidnapped her. Further, he went
to the house of the petitioner, he disclosed that he dropped the
victim and Ranjan at the station by an auto.

4. The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant being an auto driver. It is also submitted that it was
the petitioner, who himself disclosed to the informant that he



had dropped Ranjan and the victim at the station. It is next submitted that petitioner was completely unaware that victim would elope with Ranjan. It is also submitted that the FIR is dated 03.04.2024 and the same was sent to the learned trial Court on 15.04.2024, which cast an aspersion on the case of the prosecution. It is next submitted that petitioner based on suspicion has been implicated as he disclosed that he had dropped Ranjan and the victim to the station.

5. Learned A.P.P. opposes the anticipatory bail application and submits that it appears that from the tenor of the allegation as alleged in the FIR that petitioner was known to Ranjan and the victim, as such, he disclosed to the informant that he left them at station, but then, the learned A.P.P. fairly submits that whether petitioner helped the minor to elope with Ranjan or not is an aspect of investigation, but if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

6. 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 Court below



within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XIII, Patna in connection with Digha P. S. Case No.191 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

9. Further, it is made clear that in the event, if charge-sheet is filed connecting the petitioner with the offence in that event, the present anticipatory bail order shall loose its effect.

10. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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