

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68718 of 2023

Arising Out of PS. Case No.-356 Year-2023 Thana- BEGUSARAI TOWN District- Begusarai

SURAJ KUMAR @ SURAJ KUMAR GUPTA Son of Ram Sagar Das R/o
vill - Bishanpur Bahore, Ward no. 38, P.S. - Nagar, Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-04-2024 Heard learned counsel for the petitioner, learned
APP for the State along with learned counsel for the informant.

2. The petitioner apprehends his arrest in connection with Begusarai Town P.S. Case No. 356 of 2023, registered for the offence punishable under Sections 306/34 of the Indian Penal Code.

3. As per prosecution case, the allegation against the petitioner is that he abducted the minor daughter of the informant and when the victim was anyhow released by the help of the villagers, the petitioner along with other accused person threatened the informant that he would make viral the videos and photographs of the victim girl which compelled the victim to commit suicide, which she did subsequently.

4. Learned counsel for the petitioner submits that



petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case only on the basis of suspicion. Rather, there was love affairs between the victim and the petitioner and the victim used to put pressure upon the petitioner for marriage. He submits that the petitioner has got clean antecedent. He further submits that there is no witness who has supported the prosecution case.

5. On the contrary, learned APP as well as learned counsel for the informant opposed the prayer for anticipatory bail by submitting that the victim (deceased) was brought to a situation by the petitioner where she had no option but to eliminate herself which she did ultimately. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. *Vide* order dated 27.02.2024, the case diary was called for and from perusal of the same it appears that process of Section 83 CrPC has been issued.

7. Having regard to the facts and circumstances of the case as well as nature of offence and there is direct allegation of abduction against the petitioner along with the materials found in the case diary, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail made on his behalf is hereby rejected.



8. Accordingly, this application stands dismissed.

9. 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 without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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