

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73418 of 2023

Arising Out of PS. Case No.-297 Year-2022 Thana- PUPRI District- Sitamarhi

RAHUL DAS son of Late Bujhawan Das Village- Awapur South W.No-5, Ps-
Pupri Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 342, 363, 365, 506, 34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 29.07.2022 at 4.00 hours, the informant's son, namely, Rahul Kumar aged about 17 years had gone outside the house, who did not come back. On 02.08.2022, her villager Kiran Devi told the informant that she had seen her son on 29.07.2022 at Pupari Bazar with the FIR named accused persons. It is further alleged that call came from different numbers demanding Rs. 3 lacs with a threat that in case of non-fulfillment of the said demand, her son will be killed.



4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. Petitioner has no concern with the alleged mobile numbers from which the demand of money was made. It is further alleged that the son of the informant (victim) was mentally ill and left away his home due to mental sickness. Petitioner has no role with the alleged occurrence. He further submits that there is inordinate and abnormal delay of about one month in lodging the FIR without assigning any plausible and convincing reason for the said delay, which creates a serious doubt about the prosecution case. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is delay in lodging the FIR, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like



amount each to the satisfaction of the learned Court below
where the case is pending/successor Court in connection with
Pupri P.S. Case No. 297 of 2022, subject to the condition as laid
down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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