

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82487 of 2023

Arising Out of PS. Case No.-177 Year-2023 Thana- ATRI District- Gaya

1. Surendar Prasad @ Surendra Saw Son Of Chandeshwar Saw R/O Village- Dihuri, P.S.- Atri, Dist.- Gaya
2. Saroj Devi W/O Surendar Prasad R/O Village- Dihuri, P.S.- Atri, Dist.- Gaya
3. Vikky Kumar Son Of Surendra Prasad R/O Village- Dihuri, P.S.- Atri, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Atri P.S. Case No. 177 of 2023, registered on 07.04.2023, for the alleged offence under Sections 366(A), 504, 506/34 of the Indian Penal Code.

03. As per prosecution case, the daughter of the informant went missing and the informant came to know about co-accused Rohit Rana, who forcibly took her away. The petitioners are father, mother and brother of the co-accused Rohit Rana, respectively.

04. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this



case. The petitioners have no hand in the alleged occurrence in any manner. During investigation, the police recovered the victim girl and produced her before learned Magistrate where the statement of the victim girl was recorded under Section 164 Cr.P.C. and from the statement made before the learned Magistrate, it is clear that neither the petitioners nor the co-accused Rohit Rana has played any role in the entire episode. Learned counsel further submits that similarly placed co-accused Sudhir Sao has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 16.10.2023 passed in Criminal Misc. No. 62138 of 2023. The petitioners have got no criminal history.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the statement of the victim girl recorded under Section 164 Cr.P.C and further considering the distinct lack of substantive material against the petitioners and strong possibility of false implication, let the petitioners above named, in the even of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Gaya/concerned court in connection with Atri P.S.
Case No. 177 of 2023, subject to the condition 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
petitioners.
- (ii) The petitioners will remain present on each and
every date fixed by the court below, if so required
by the learned trial court.

(Arun Kumar Jha, J)

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