

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85907 of 2023

Arising Out of PS. Case No.-429 Year-2023 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Sonu Singh Patel @ Sonu Kumar, Son Of Jai Prakash Patel @ Bolta @ Jai
Prakash, Resident Of Village- Kalyani Bara, Deewan Road, Ps- Town, Distt-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate
For the Opposite Party/s : Mr. Kanhiya Kishor, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest
in connection with Muzaffarpur Town P.S. Case No. 429 of
2023, registered on 03.05.2023 for the offences under Sections
306, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, co-accused Utsav Kumar
developed intimacy with the daughter of the informant and
started physically and mentally exploiting her after preparing
her photographs extending her threat of making the photographs
viral. The daughter of the informant committed suicide due to
exploitation by the co-accused. The name of the petitioner
transpired during investigation as being involved with co-



accused.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner has not committed any offence. Petitioner was not named initially in the FIR but his name came up in the re-statement of the informant, who stated that the petitioner is the friend of co-accused Utsav's family. Even the mother of the deceased has not stated anything against this petitioner in her statement recorded under Section 161 of Cr.P.C. During investigation, the statement of informant was further recorded in which he disclosed the name of three other persons but he did not disclose anything against this petitioner. There is no substantive material against this petitioner and the co-accused Utsav Kumar has been granted anticipatory bail by a Co-ordinate Bench vide order dated 09.01.2024 passed in Cr. Misc. No. 83261 of 2023. Two other co-accused persons have also been granted anticipatory bail by the same Co-ordinate Bench vide order dated 18.12.2023 passed in Cr. Misc. No. 80223 of 2023. The case of the petitioner is on better footing. Petitioner is having clean antecedent.

5. Learned APP opposes the prayer for bail.

6. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the vague nature of allegation against the petitioner without any specific overt act and also considering grant of anticipatory bail to other co-accused persons coupled with possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur/court concerned in connection with Muzaffarpur Town P.S. Case No. 429 of 2023, subject to the conditions as 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 petitioner.
- (ii) The petitioner 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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