

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3940 of 2024**

Arising Out of PS. Case No.-394 Year-2023 Thana- OBRA District-
Aurangabad

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Dhiraj Kumar son of late. Ramji Thakur RESIDENT OF VILLAGE- SADIPUR
TAKEYA, P.S.-OBRA, DISTRICT- AURANGABAD, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar
For the Opposite Party/s : Mr. Kanhiya Kishor

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-02-2024

1. Heard learned counsel for the petitioner and the
learned A.P.P. for the State along with learned counsel
appearing for O.P. No.2.

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

3. The learned counsel for the petitioner, at the
outset, submits that the similarly situated co-accused, Sahul
Kumar had approached this Court by filing Cr. Misc. No.
86674 of 2023 seeking anticipatory bail and the same was
allowed by an order dated 24.01.2024 by a learned co-
ordinate Bench. It is next submitted that the case of the
petitioner and co-accused, Sahul Kumar is on a similar



footing. It is also submitted that from perusal of the allegation, as alleged in the F.I.R, it would manifest that the same does not inspire confidence for the reason that the informant alleges that his minor daughter was kidnapped by the named accused persons on 19.09.2023 in the night at 11:00 P.M. and he started making search and on 18.09.2023, he saw the victim coming all alone, when the victim disclosed about the occurrence and name of the accused persons based on which the F.I.R. came to be instituted. The learned counsel next submits that the informant falsely implicated the petitioner without disclosing the fact in the F.I.R. that it was his daughter when pressurized disclosed the name of the accused persons or else how the informant would have known the name of the accused persons who committed the occurrence especially when he had not seen the occurrence.

4. The Learned A.P.P. for the State and learned counsel appearing for opposite party No.2 opposed the anticipatory bail application of the petitioner but are not in a position to rebut the submission of the learned counsel for the petitioner that the similarly situated accused, namely, Sahul Kumar has been granted the privilege of anticipatory



bail by a learned co-ordinate Bench.

5. 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 court below within a period of six weeks, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Daudnagar, Aurangabad in connection with Obra P.S. Case No. 394 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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