

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5112 of 2025

Arising Out of PS. Case No.-339 Year-2024 Thana- PARSABAZAR District- Patna

Suraj Kumar son of Sanjay Gupta @ Sanjay Kumar Gupta village- Parsa Bazar Ps- parsa Bazar, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 09-05-2025 Heard learned Counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Parsa Bazar P.S. Case No. 339 of 2024 for the offence registered under sections 137, 96 of Bhartiya Nyaya Sanhita lodged on 11.07.2024 by the informant Chandan Kumar Gupta.

3. As per the prosecution story, the informant alleged that his daughter went missing and came to notice that he used to have conversation with this petitioner. This led to the FIR.

4. In this case, the Co-ordinate Bench had called for the case diary and the statement of the victim girl besides the medical report which are now available on the record.

5. As per the 164 Cr.P.C. Statement, the girl (X) narrated that she on her own went with the petitioner to Delhi,



returned to Patna, solemnized marriage and once again went back to Delhi. Later, upon knowledge about the case, returned to the place and gave her statement. Further, the victim refused to go for the medical examination.

6. Learned counsel for the petitioner submits that both the petitioner and the victim were known to each other and she went on her own but this young boy has been implicated by the family.

7. Learned APP opposes the prayer and submits that the girl is a minor.

8. Though it is a fact that the girl is minor, the victim (X) has narrated her story that she went on her own and there was no pressure from the petitioner. Further, he is a young boy of 22 years having no criminal antecedent, keeping him in jail with dreaded criminals will spoil his future, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

9. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of 1st Class



Judicial Magistrate, Patna in connection with Parsa Bazar P.S.
Case No. 339 of 2024 subject to condition as laid down under
Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family
members/relatives of the petitioner, who shall provide official
document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date
before the Trial court and failure to do so for two consecutive
dates without plausible reason will entail cancellation of his bail
bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or
promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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