

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14398 of 2018

Arising Out of PS.Case No. -36 Year- 2014 Thana -SHAMBHUGANJ District- BANKA

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Mithun Kumar @ Mithun Sah S/o Arbind Sah, R/o Village- Karshop, P.S.-
Shambhuganj, District- Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Balram Kapri

For the Opposite Party/s : Smt. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Shambhuganj P.S. Case No. 36 of 2014 registered for the offences
punishable under Sections 366(A)/34 of the Indian Penal Code.

Although, petitioner is named in the first information
report but admittedly, the informant has not seen the occurrence of
kidnapping. The victim girl was recovered and her statement
under Section 164 of the Cr.P.C. was recorded. The victim in her
statement narrated completely a different story exonerating the
petitioner and other F.I.R. named accused. Therefore, it is obvious
that in view of statement of victim there is nothing against the
petitioner.



Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Banka in Shambhuganj P.S. Case No. 36 of 2014 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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