

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72054 of 2018

Arising Out of PS. Case No.-17 Year-2018 Thana- Matiyariya District- West Champaran

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Krishna Sah , S/o Rameshwar Sah, R/o Village- Bhawal, P.S. - Ramnagar,
District -West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Sri Bimlesh Kumar Pandey

For the Opposite Party/s : Sri Tapeswar Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 04-12-2018 Heard Sri Bimlesh Kumar Pandey, learned counsel

for the petitioner and Sri Tapeswar Sharma , learned Additional

Public Prosecutor.

The sole petitioner, apprehending his arrest in connection with Tr. No. 2994 of 2018 (arising out of Matiyariya P.S. Case No. 17 of 2018), registered for the offence under Section 366(A) of the Indian Penal Code, 1860 has prayed for grant of bail in the event of his arrest or surrender primarily on the ground that during investigation accusation against the petitioner was not found true and final report was submitted. However learned Magistrate differing with the police report has passed order of cognizance. Learned counsel for the petitioner has drawn my attention to the statement of the victim girl recorded under Section 164 of the Cr.P.C., copy of the



same has been brought record as Annexure - 3 to the petition to show that victim girl in categorical word has stated that she was never kidnapped rather she has made some allegation against her parents.

Learned Additional Public Prosecutor though has opposed the prayer for grant of anticipatory bail , he was not in a position to dispute the fact that in the case Police has submitted final report.

In view of the facts and circumstances , in the event of his arrest or surrender within a period of six weeks from today, let petitioner - Krishna Sah be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri C.B. Ram, Judicial Magistrate Ist Class, Bettiah, West Champaran / concerned court in connection with Tr. No. 2994 of 2018 (arising out of Matiyariya P.S. Case No. 17 of 2018) subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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