

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9867 of 2018

Arising Out of PS. Case No.-214 Year-2017 Thana- BALIA District- Begusarai

Sonu Kumar Sah @ Sohan Kumar S/o Naresh Gupta, R/o Village/Mohalla-
Sidhighat, Thana Chowk Ward No. 11, Khagaria, P.S. and District- Khagaira.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav
For the Opposite Party/s : SMT. RITA VERMA

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-02-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Balia P.S. Case No. 214 of 2017 registered for the offence punishable under Sections 366(A)/34 the Indian Penal Code.

The allegation against the petitioner herein is kidnapping the victim girl.

The learned counsel for the petitioner submits that the victim girl in her statement under Section 164 Cr.P.C. has stated that since she was being reprimanded by her parents she had gone to her maternal grand parent's house. True it is that the petitioner is minor and therefore not much reliance can be placed on her statement, however, the fact is that there is no



allegation of any untoward incident being committed by the petitioner vis a vis the victim girl. Even the perusal of the impugned order shows that there is no allegation of rape on the petitioner herein.

Having regard to the facts and circumstances of the case, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Balia P.S. Case No. 214 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is directed that the petitioner shall join investigation and he would be present at the place where he is directed to appear by the Investigating Agency and in case, he does not cooperate with the investigation, the prosecution would be free to approach this Court for cancellation of bail.

It is further directed that the petitioner would mark his attendance before the Officer-in-Charge of the concerned Police Station at 10:00 A.M., on each Monday of the week and in the



event of two consecutive defaults, the present privilege of the
anticipatory bail shall stand cancelled automatically.

(Mohit Kumar Shah, J)

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