

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19226 of 2019

Arising Out of PS. Case No.-307 Year-2016 Thana- DARIYAPUR District- Saran

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Munna Kumar @ Munna Singh, Son of Ramanand Singh, Resident of
Village- Ramjitpur, P.S.- Derni, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

8 18-09-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Dariyapur P.S. Case No.307 of 2016, for the offence punishable
under Sections 323, 354, 364(A) of the Indian Penal Code and
Section 27 of the Arms Act.

The allegation against the petitioner as per the
complaint turned into FIR is that when the informant along with
her married daughter, i.e, victim reached near village Natha
Chapra, the petitioner along with other co-accused persons came
on motorcycle and assaulted the informant and chased them
also. It has further been alleged that they lifted the daughter of
the informant and fled away. It has also been alleged that when
the complainant went to the house of Sheo Bachan Rai, he



demanded a sum of Rs.1 lakh for returning his daughter to the complainant.

Mr. Akashdeep, learned counsel appearing for the petitioner submits that petitioner has falsely been implicated in this case with oblique motive inasmuch as from perusal of the complaint-cum-First Information Report, it would be evident that the complainant, who is mother of the victim, had gone to inquire about the whereabouts of her daughter in the house of Sheo Bachan Rai and there is no specific allegation against the petitioner except that petitioner along with others kidnapped the daughter of the complainant. Learned counsel further submits that the daughter of the complainant is a married woman and police during investigation did not inquire and has not taken statement from the husband of the alleged victim lady.

On the other hand, learned counsel appearing for State referring para 7 and 8 of the case diary submits that witnesses have said that victim girl had returned from her matrimonial home to her Miaka and had gone along with Munna Singh, i.e., petitioner.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that none of the witnesses has



alleged anything against the petitioner that he forcibly kidnapped the victim lady, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Chapra, Saran, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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