

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36371 of 2019

Arising Out of PS. Case No.-177 Year-2018 Thana- LAUKAHI District- Madhubani

Shri Ram Kamat, Son of Yadu Nandan Kamat Resident of Village - Rampur,
P.S.- Laukaha, District- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 18-10-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Laukahi P.S. Case No.177 of 2018, for the offence punishable
under Sections 363, 366(A)/34 of the Indian Penal Code.

The allegation against the petitioner as per the First
Information Report is that the son of the petitioner abducted the
daughter of the informant for the purpose of illegal marriage. It
has further been alleged that when the informant went to the
house of the petitioner in search of her daughter, he was abused,
scolded by the petitioner.

Mr. Gagandeo Yadav, learned counsel, appearing for
the petitioner submits that petitioner has falsely been implicated



in this case merely on the basis of the fact that he happens to be the father of co-accused who has allegedly abducted the daughter of the informant for the purpose of illegal marriage.

On the other hand, learned counsel appearing for the informant vehemently opposes the prayer for anticipatory bail and submits that petitioner is father of the co-accused who has abducted the daughter of the informant and the victim girl being the minor is still traceless and process under Section 82 Cr.P.C. has been issued by the learned Court below on 14.06.2019. Learned counsel further submits that petitioner has concealed the fact regarding criminal antecedent inasmuch Laukhi P.S. Case No.248 of 2019 has been lodged against the petitioner under Section 379 of IPC.

Learned counsel for the petitioner submits in reply that before the process under Section 82 was issued, the anticipatory bail application was already filed by the petitioner on 27.05.2019 which has been registered on 07.06.2019. Learned counsel further submits that from perusal of the FIR, it is evident that the girl has been abducted by son of petitioner and both son of the petitioner and the victim girl are traceless.

Having regard to the submissions made by the parties and taking into consideration the fact that from perusal of the



First Information Report and the materials on record, it appears that son of the petitioner has abducted the victim girl for the purpose of marriage and petitioner's son is also missing, 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 S.D.J.M., Jhanjharpur, Madhubani, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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