

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43818 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- SALAKHUA District- Saharsa

MANOJ SHARMA @ MANOJ DAS Son of Lakshami Das Resident of
Village- Lataha (Latha) Nariyar Tola, P.S.- Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Jha

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-07-2019 The petitioner apprehends his arrest in connection with

Salkhua 40 of 2019 registered under Sections 120B, 363, 366A,

372 and 379 of the Indian Penal Code and 8 and 12 of the

Prevention of Children from Sexual Offences Act.

Allegation against the petitioner, as per FIR, is that
daughter of the informant was abducted by one Ashish Kumar
for the purpose of marriage or selling etc. It has further been
alleged that her daughter has taken Rs. 15,000/- and gold chain
also.

Learned counsel for the petitioner submits that petitioner
is innocent inasmuch as victim girl has been recovered and her
statement was recorded under Section 164 Cr.P.C. in which she
has categorically stated that Ashish Kumar had kidnapped/
abducted her and had taken her in the house of his brother-in-
law, who is petitioner, where Ashish Kumar had put vermilion



on her head. Learned counsel further submits that there was love affairs between the victim girl and Ashish Kumar and petitioner has no role to play in that. Learned counsel, referring to Annexure-3, which is PAN card, submits that age of victim girl on the date of occurrence is 18 years 01 month.

After having heard learned counsel for the parties and taking into consideration the fact that victim girl, in her statement recorded under Section 164 Cr.P.C., has alleged nothing incriminating against the petitioner as such I am inclined to grant anticipatory bail to the petitioner.

Let petitioner, above named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Addl. District Judge 1st, Saharsa Railway in connection with Salkhua P.S.Case No. 40 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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