

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 46556 of 2019

Arising Out of PS. Case No.-94 Year-2019 Thana- GOPALPUR District- Bhagalpur

1. SURAJ KUMAR Son of Pagal @ Prayag Sah
2. Subodh Sah @ Subodh Kumar Son of Buchkun Sah
3. Sadanand Mandal @ Sadanand Kumar Son of Satish Mandal

All are Resident of village- Simariya, P.S.- Rangra, District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-07-2019 The petitioners apprehend their arrest in connection with Gopalpur (Rangra) P.S.Case No. 94 of 2019 registered under Sections 366, 504, and 506/34 of the Indian Penal Code.

Allegation against the petitioners is that daughter of the informant was abducted by the petitioner from the house of the informant.

Mr. Ranjan Kumar Jha, learned counsel for the petitioners submits that petitioners have falsely been implicated in this case inasmuch as both, victim girl and petitioner no. 1, have been studying in the same college and there was love affair in between them. He submits that victim girl has been recovered on the same day and in her statement recorded under Section



164 Cr.P.C., she stated that petitioners had forcibly abducted her and near Naugachia S.P. Kothi when she raised *hulla*, they left the victim girl over there. Learned counsel further submits that from perusal of statement of victim girl, it would be evident that when she narrated the incident before the police but the police castigated the victim girl. Learned counsel, on the basis of statement made in paragraph no. 10 of the application, submits that the fact of the story is that petitioners have falsely been implicated inasmuch as the father of petitioner no. 1 had gone to house of the informant for the purpose of negotiating the marriage of petitioner no. 1 with victim girl inasmuch as petitioner no. 1 was in love with victim girl and upon proposal made by father of the petitioner no. 1, the informant became angry and abused and assaulted the father of the petitioner no. 1 and lodged present false case in retaliation.

After having heard learned counsel for the parties and taking into consideration the fact that both petitioners as well as victim girl had been studying in same college and further that the girl has been recovered on the same day of alleged occurrence, accordingly, I am inclined to grant anticipatory bail to the petitioner. Let the petitioner, abovenamed, 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 ACJM-III, Naugachia, Bhagalpur in connection with Gopalpur (Rangra) P.S. Case No. 94 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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