

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52478 of 2019

Arising Out of PS. Case No.-138 Year-2019 Thana- BARARI District- Katihar

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MITHLESH KUMAR SAH @ MITHLESH SAH @ FUDAN SAH Son of
Shambhu Sah Resident of Village- Raja Pakhar, Kant Nagar, P.S.- Barari,
District- Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 22-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Barari P.S. Case No. 138 of 2018, disclosing offences under Sections 363 and 365 of the Indian Penal Code.

On the allegation that the petitioner had abducted the informant's daughter, the FIR was lodged on 02.05.2019, though the informant's daughter was found missing since 24.04.2019.

Learned counsel, appearing on behalf of the petitioner, has submitted that there is no basis disclosed in the FIR for implicating this petitioner. It has further been stated that the victim has subsequently filed a petition before the court below, stating the correct state of affairs.

Considering the facts and circumstances, this



application is allowed. Let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Barari P.S. Case No. 138 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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