

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60299 of 2019

Arising Out of PS. Case No.-187 Year-2018 Thana- KARJA District- Muzaffarpur

PRAMOD SAHNI Son of Nageshwar Sahni Resident of Village -
Akhtiyarpur, P.S.- Karja, Dist.- Muzaffarpur..... Petitioner/s

Versus

The State of Bihar..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Parasmani

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 20-11-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Karja P.S. Case No. 187 of 2018, disclosing the offence under Section 363, 366A/34 of the Indian Penal Code.

The petitioner is father of one Aman Kumar. It has been alleged in the F.I.R that Aman Kumar had kidnapped the informant's daughter for marriage. The informant had thereafter gone to enquire about the whereabouts of her daughter and had contacted the petitioner on the date of filing of the F.I.R.. The victim was subsequently recovered and her statement has been recorded under Section 164 of the Cr.P.C. She appears to have stated that the petitioner had also indulged in act of getting the victim kidnap. There is allegation against co-accused Aman Kumar of having committed rape on the victim.

Learned counsel appearing on behalf of the petitioner



contents that the allegation in the First Information Report and the statement of the victim recorded under Section 164 Cr.P.C. are contradictory for the reasons that as per her own case the informant had met the petitioner complaining against kidnapping of the victim by co-accused Aman Kumar whereas in the statement under Section 164 of the Cr.P.C. the victim is said to have stated that the petitioner had also indulged in act of kidnapping. He has submitted that the petitioner has been implicated only because he has father of the main accused Aman Kumar to harass him.

The petitioner was allowed to provisional anticipatory bail vide order dated 25.09.2019 passed in this case. There is nothing to show that the petitioner has committed breach of condition mentioned in the order granting provisional anticipatory bail.

Considering the above, this application is allowed. Consequently, the provisional anticipatory bail allowed to the petitioner vide order dated 25.09.2019 passed in this case stands confirmed.

(Chakradhari Sharan Singh, J)

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