

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65513 of 2019

Arising Out of PS. Case No.-373 Year-2018 Thana- KORHA District- Katihar

Ashish Kumar Sah (M) aged about 20 years, Son of Chandrahas Sah Resident of Village - Mahinathpur, P.S.- Korha, District - Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Raghvendra Kumar Singh, Advocate
For the Opposite Party : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-11-2019 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest for the offences alleged under Sections 366(A) read with Section 34 of the Indian Penal Code registered in connection with Korha P.S. Case No. 373 of 2018.

The allegation against the accused persons including the petitioner as stated in the FIR is that on 01.10.2018 while the minor daughter of the informant, namely, Annu Kumari, aged about 14 years was returning home from Coaching Institute, in the way they kidnapped her.

Learned counsel for the petitioner submits that the petitioner is innocent person; has committed no offence and he has been falsely implicated in this case only on mere suspicion. It has further been submitted that the victim girl herself left her



house without informing her parents. He submits that as per the FIR, there is no specific allegation of kidnapping against the petitioner and the victim girl has not stated anything regarding his involvement in her statement recorded under Section 164 of the Cr.P.C. It is further submitted that similarly situated co-accused Chandrahas has been granted anticipatory bail by a coordinate Bench of this Court in Cr. Misc. No. 63527 of 2019. The petitioner has no criminal antecedents.

In the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Korha P.S. Case No. 373 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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