

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70042 of 2018

Arising Out of PS. Case No.-417 Year-2018 Thana- PURNEA SADAR District- Purnia

Pradeep Kumar, Son of Gulsi Sah, resident of Village- BhalsarJ Erbari, P.S.
Kahalgaon, District Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Dilip Kumar, Advocate.

For the Opposite Party : Mr. Pramod Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-01-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 363 and 365 of the IPC.

The prosecution story, in brief, is that the petitioner is
agent of Feno Bank and gave many villager loan and for
recovery of said loan, petitioner visited with co-accused Nishant
Kumar to her house. On 24.07.2018 at about 1.00 P.M., her
daughter was alone in her house then this petitioner, co-accused
Nishant Kumar and Sunni Kumar came to her house with
Bolero and forcibly kidnapped her by the said vehicle.
Informant tried to contact from this petitioner and Nishant
Kumar on Mobile but he could not contact with them. Informant
always received phone from Mobile No. 7004930598 in which



the caller extended threat that if she will lodge a case then he will kill her and also told that he will deliver her girl within 3-4 days.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. The victim lady has been recovered and her statement under Section 164 Cr. P.C. has been recorded in which she had made specific allegation against co-accused Nishant Kumat for committing rape upon her. The petitioner has not been named for committing rape upon her by the victim lady. The victim has already a married lady.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory 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 C.J.M., Purnea, in connection with Sadar P.S. Case No. 417 of 2018,



subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Sudhir Singh, J)

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