

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68247 of 2018

Arising Out of PS. Case No.-581 Year-2017 Thana- RUNISAIDPUR District- Sitamarhi

Manish Sah S/o Jiyalal Sah Resident of Villabge- Hathsar, P.S. Purnahiha,
District- Soehar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr. Anish Chandra

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 366, 366A of the Indian Penal Code.

The prosecution case, in brief, is that the accused persons kidnapped Asha Kumari, the minor daughter of the complainant/informant for illicit purpose.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. The victim girl has been examined u/S 164 of the Cr.P.C. in which, she has categorically stated that she had left her house with the petitioner on her own sweet will and has



performed marriage with him. She has not supported the allegations, made in the FIR. Hence, no offence u/S 366A of the IPC is made out in the present case.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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 learned Chief Judicial Magistrate, Sitamarhi in connection with Runnisaidpur P.S. Case No. 581 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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