

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1371 of 2020

Arising Out of PS. Case No.-343 Year-2019 Thana- PARBATTa District- Khagaria

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BANTI KUMAR, aged about 18 years (Male), Son of Nepali Paswan,
Resident of Village- Jawahar Nagar (Udaypur), P.S.- Parbatta, District-
Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Mrityunjay Kumar, Advocate.
For the Opposite Party : Mr.Syed Mojibur Rahman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 04-11-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

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 366(A)/34 of the
I.P.C.

The prosecution story, in brief, is that on 26.08.2019
at about 3.00 P.M. informant’s daughter, Poonam Kumari, went
to coaching at Parbatta and did not come back to her house.
Informant searched at her level but could not find her daughter.



The informant has doubt that Banti Kumar (petitioner), Nepali Paswan and Manju Devi had kidnapped her daughter and kept at a secret place.

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 falsely been implicated in the present case. The victim has been recovered. Her statement under Section 164 Cr. P.C. has been recorded. There is no allegation of physical or sexual assault alleged against the petitioner. The victim and the petitioner were studying together. They had love affairs which was not liked by their parents and for the said reason, the present case has been instituted.

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 facts and circumstances of the case, the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria, in connection with Parbatta P.S.



Case No. 343/2019, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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