

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1571 of 2020

Arising Out of PS. Case No.-183 Year-2018 Thana- SINGHWARA District- Darbhanga

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BIMAL SAH @ BIMAL KUMAR @ VIMAL KUMAR, aged about 24 years,
Son of Manoj Sah, Resident of Village - Bhapura, P.O.- Bhawanipur, P.S. -
Sinhwara, Distt - Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Surendra Kumar Mishra, Advocate.
For the Opposite Party : Mr.Anil Kumar Singh No. 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 25-08-2020 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 06.09.2018
at 5.00 A.M., the daughter of the informant, aged about 15
years, went to ease out but she did not return to her house then
they started searching her. During search, the informant knew



that her daughter was seen with one Bimal Sah. The informant alongwith some other person went to the house of father of Bimal Sah at Village-Bhapura and enquired about Bimal Sah, but he could not disclose anything, where she also knew that Bimal Sah is also traceless. The informant told to Manoj Sah that his son abducted her daughter. Manoj Sah took time to produce her daughter. On 11.09.2018 at 8.00 A.M., the informant alongwith some other person went to the house of Manoj Sah and enquired about her daughter and Bimal Sah, but Manoj Sah and his wife abused, dashed and also drove her from their house.

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. She has not alleged any physical or sexual assault against the petitioner. The Radiological examination findings of the doctor is that her age is between 17 and 19 years.

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



and also the lockdown, the petitioner above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of the learned A.C.J.M.-5, Darbhanga, in connection with Sinhwara P.S. Case No. 183 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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