

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 6609 of 2020

Arising Out of PS. Case No.-201 Year-2019 Thana- DELHA District- Gaya

RAHUL KUMAR Son of Anil Sahni Resident of Village - Bageshwari Kali
Mandir, P.S.- Delha, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 30-06-2020

The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner apprehends his arrest in a case registered under Section 366(A) of the Indian Penal Code.

Informant is the father of victim, who in his written complaint has stated that his minor daughter Priti Kumari alongwith his elder daughter had gone to market. In the way Rahul Kumar (Petitioner) and his mother was also there. Thereafter his elder daughter came out from the shop, she found that her younger sister was missing and even after much search she could not be located and he suspected that Rahul Kumar



(Petitioner) has kidnapped his daughter.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has been further submitted that statement of victim was recorded under Section 164 Cr.P.C. in which she has stated that she had gone with the petitioner out of her own volition and sweet will and she had love affair with petitioner and they have also solemnized marriage. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Delha P.S. Case No. 201 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the



trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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