

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6663 of 2020

Arising Out of PS. Case No.-292 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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GOVIND KUMAR @ GOBIND KUMAR Son of Hira Singh Resident of
Village- Nagdahiya, Ward No.15, P.S.- Manuapul, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akhileshwar Kumar Shrivastva
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 02-07-2020 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) and 120(B) of the Indian Penal Code and
Section 8 of POCSO Act.

Allegation against petitioner and other co-accused is
of kidnapping the minor daughter of the informant for the
purpose of marriage.

It has been submitted on behalf of petitioner that
petitioner is not named in the FIR and he has been falsely



implicated in this case only because he happens to be friend of Md. Sartaj Alam. It has been further submitted that occurrence took place on 30.03.2019 but FIR was lodged on 13.04.2019 after delay of 14 days without any explanation. Statement of victim was recorded under Section 164 Cr.P.C. in which she has stated that she had gone with one co-accused Md. Sartaz Alam out of her own volition and sweet will and she had love affair with him. Similarly placed co-accused, namely, Manjoor Alam and Sartaj Alam have been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 30.07.2019 passed in Cr. Misc. No. 47356 of 2019 and vide order dated 18.09.2019 passed in Cr. Misc. No. 58468 of 2019. 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 Bettiah (Town) P.S. Case No. 292 of 2019, (G.R. No. 1452 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)

veena/rajiv-

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