

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9649 of 2020

Arising Out of PS. Case No.-415 Year-2019 Thana- KORHA District- Katihar

SOMA KUMAR, Son of Pradeep Das @ Tuntun Das, Resident of Village -
Bargawn, P.S.- Korha, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-06-2020 This case has been heard through Video
Conferencing.

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

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 363, 366/34
of the Indian Penal Code.

Prosecution case in brief is that on 12.10.2019 the
sister of informant namely Anchal Kumari, aged about 18 years
went Korha block to obtain cast certificate etc. but she did not
return home. In course of search the informant came to know
that all the accused persons including the petitioners with a
conspiracy kidnapped the sister of informant for the purpose of
marriage.



Learned counsel for the petitioner submits that the petitioner is innocent person, has committed no offence and he has been falsely implicated in this case. There is no specific allegation of kidnapping against the petitioner and the informant is not the eye witness of the occurrence and there is no evidence regarding the involvement of the petitioner in the alleged occurrence. The victim is major and she herself left her house.

Learned counsel for the petitioner further submits that the informant made fall in love with petitioner and during this period several letters wrote to the petitioner demanding a mobile, that letter completely shows the love affairs between them is at (Annexure-2 of the bail petition). Both parties are entered into compromise and the victim girl gave consent that she will live separately. The petitioner has clean criminal antecedent.

Learned APP for the State opposes the prayer for bail petition.

In the aforesaid facts and circumstances of the case, I am inclined to grant anticipatory bail to the above named petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail



bonds of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Katihar in connection with Korha P.S. Case No. 415 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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