

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8736 of 2020

Arising Out of PS. Case No.-86 Year-2019 Thana- JAGDISHPUR District- Bhagalpur

Sanu Kumar Son of Anil Mandal Resident of Village- Harnathpur, P.S.-
Sajour, District- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shiwesh Chandra Mishra, Adv.

For the Opposite Party : Mr. Anita Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2020 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner apprehends his arrest in connection with Jagdishpur (Goradih) P.S. Case No. 86 of 2019 for the offence punishable under Section 366/34 of the Indian Penal Code.

The allegation is regarding the co-accused person, namely, Gulshan Kumar having kidnapped the victim girl and established physical relationship with her forcibly.

The learned counsel for the petitioner has submitted that, as far as the petitioner is concerned, he has got no role to play in the alleged incident and he has been implicated in the present case only on account of him being the brother of the main accused person, namely, Gulshan Kumar. In fact, a bare perusal of the statement of the victim girl made



under Section 164 Cr.P.C. before the learned Magistrate would show that no allegation has been levelled against the petitioner, herein. Petitioner is stated to be having a clean antecedent.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties as also taking into account the fact that no allegation has been levelled against the petitioner by the victim girl in her statement made under Section 164 Cr.P.C. before the learned Magistrate, I deem it fit and proper to grant anticipatory bail to the petitioner herein.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner above named is directed to be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, with Jagdishpur (Goradih) P.S. Case No. 86 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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