

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16339 of 2020

Arising Out of PS. Case No.-42 Year-2015 Thana- PAKRIDAYAL District- East Champaran

Chandan Sah, Male, aged about 32 years, son of Late Puneydes Sah, resident
of Village - Dhanouji, P.S.- Padridayal, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon

For the Opposite Party/s : Mr. Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-12-2020 Heard Mr. Dilip Kumar Tondon , learned counsel for
the petitioner and Mr. Shakir Ahmad, learned Additional Public
Prosecutor appearing for the State through video conferencing.

Petitioner apprehends his arrest in connection with
Pakridayal P.S. Case No. 42 of 2015 registered for the offence
punishable under Section 366 (A) / 34 of the IPC.

The allegation as per the First Information Report is
that the minor daughter of the informant was abducted by the
petitioner and other accused persons.

Learned counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case due to oblique
motive. Learned counsel further submits that there was love
affair between the petitioner and the victim girl and the
statement of the victim girl under Section 164 of the Cr.P.C. was
recorded on 03.10.2018 and the learned Magistrate has assessed
the age of the victim girl on that date as 23 years. Learned
counsel further submits that the statement of the victim girl does



not support the prosecution story and the victim has categorically stated that she has performed marriage with the petitioner in a court at Delhi.

Having heard learned counsel for the parties and taking into consideration the materials available on record and the statement of the victim girl recorded under Section 164 of the Cr.P.C., I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Sikrahna at Motihari / court concerned in connection with Pakridayal P.S. Case No. 42 of 2015, subject to the condition as laid down under Section 438 (2) of the Code Of Criminal Procedure.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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