

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14431 of 2020

Arising Out of PS. Case No.-62 Year-2019 Thana- SATHI District- West Champaran

SONU SAH Son of Atma Sah Resident of Village - Telpur, P.S.- Lauriya,
District - West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

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

This is an application for grant of anticipatory bail in connection with Sathi P.S. Case No. 62 of 2019 registered for the offence punishable under Sections 363/366(A)/506 of the Indian Penal Code.

The petitioner is alleged to have conspired with the other accused persons and all the accused



persons are stated to have kidnapped the daughter of the informant on 27.5.2019 at about 9:30 PM. in the night.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further referred to the statement of the victim girl made under Section 164 Cr.P.C. before the learned Magistrate to state that she did not want to solemnize marriage at the place where her father wanted to marry her, hence, she had, voluntarily, on her own volition, married the co-accused person, namely, Rinku Kumar, one year back and she wants to go to her husband's house and live there.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the statement made by the victim girl



under Section 164 Cr.P.C., it is apparent that the petitioner is having no complicity in the alleged crime, hence, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned I/C Chief Judicial Magistrate, West Champaran, Bettiah in connection with Sathi P.S.Case No. 62 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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