

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18043 of 2020

Arising Out of PS. Case No.-78 Year-2019 Thana- DAWATH District- Rohtas

ANIL KUMAR @ ANIL, aged about 30 years (Male), S/O Mahanth Singh,
Resident of Village - Kawai, P.S. - Dawath, District - Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Subash Kumar, Advocate.

For the Opposite Party : Mr.Sunil Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-07-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offences registered under Sections 366(A), 504 and 506/34
of the IPC.

The prosecution case, in short, is that on 01.05.2019,
the minor daughter of the informant, was enticed away by co-
accused Mukesh Kumar for the purpose of marriage. When the
informant went to the house of co-accused Mukesh Kumar then
his father Mahanth Singh and mother given threatening to kill



his daughter.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. The petitioner has been made accused in the present case since he happens to be the elder brother of the co-accused, namely, Mukesh Kumar. The victim has eloped with the younger brother of the petitioner, namely, Mukesh Kumar due to love affair. For the said reason, the petitioner has been made accused in the present case alongwith other family members. The victim has already been recovered. Other co-accused have been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 62686 of 2019 under order dated 17.10.2019, annexed as Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of



learned A.C.J.M. Bikramganj (Rohtas) in connection with Dawath P.S. Case No. 78 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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