

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20589 of 2020

Arising Out of PS. Case No.-71 Year-2020 Thana- RAJAPAKAR District- Vaishali

PRIYETOSH KUMAR @ BANTI KUMAR @ BANTI RAI S/o Santosh Singh @ Santosh Rai Resident of Village-Kunwari Buzurg, P.S.-Industrial Area, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-08-2020 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.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the Stamp Reporter within a period of four weeks from the date of lifting of the lockdown in the State of Bihar.

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

The petitioner is apprehending his arrest in a case registered under Sections 365, 366/34 of the Indian Penal Code.

Allegedly, the petitioner enticed away the wife of the



informant.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The alleged occurrence is of 13-11-2019. The case was filed on 06-04-2020. The inordinate delay of six months in lodging the case has not been explained by the prosecution. The victim was of questionable character and she left house with her own sweet will. There is no other substantive evidence to show that the petitioner has committed offence under Section 366 of the Indian Penal Code.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/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 Additional Chief Judicial Magistrate-XIII-cum-Sub Judge-XIV, Vaishali at Hajipur in connection with Raja Pakar (Baranti O.P.) P.S. Case No. 71 of 2020 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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