

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20069 of 2020

Arising Out of PS. Case No.-113 Year-2017 Thana- PAKRIDAYAL District- East Champaran

MUKESH SAHANI Son of Ramlakhan Sahani Resident of Village-
Dumarbana, Ward No.8, P.S.-Pakaridayal, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-08-2020 This case has been heard through video-conferencing.

Petitioner is permitted to remove all the defects within two weeks of normal functioning of the Court, failing which office is directed to place the matter before the Bench.

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

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

Prosecution case is that on 23.01.2017 informant gave a written report to SHO Pakaridayal PS alleging therein that on 18.06.2017, petitioner along with his mother and father has kidnapped his daughter-in-law and grandson, with intent to marry her.



Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to dirty village politics. He submits that after more than one month of the occurrence, present case has been lodged and there is no explanation for the said delay. He submits that victim was recovered and her statement was recorded under Section 164 Cr.P.C. where she stated that she has performed marriage with the petitioner and happily living as husband and wife. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

In the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Motihari, East Champaran in connection with Pakaridayal Police Station Case No. 113 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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