

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27824 of 2020

Arising Out of PS. Case No.-1 Year-2020 Thana- GANGTA District- Munger

SANJAY KUMAR SAH @ SURAJ KUMAR SAH Son of Kailash Kumar
Sah @ Kaillash Saw Resident of Village Uparchak Jhandu Tola, P.S. Gangta,
District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjan Parihar, Adv.

For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-12-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Section 364, 366(A) of the Indian
Penal Code and Section 4 of the POCSO Act.

Prosecution case as lodged by the informant is that on
08.01.2020 at about 2 AM his daughter went for call of nature
but she did not return. It is alleged that petitioner has kidnapped
his daughter.

Learned counsel for the petitioner submits that he is
innocent, committed no offence and has been falsely implicated
in this case. He submits that there is love affairs between the
victim and the petitioner for a long time and they decided to



marry. He submits that victim came out from her house in the early morning and informed the petitioner by mobile to come on Gangta More, then the petitioner went there and both of them came to Munger and married with consent and freewill. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 20.03.2020.

However, learned APP for the State opposes the prayer for bail and submits that the victim in her statement under Section 164 of the Cr.P.C. has supported the prosecution case.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail **after framing of charge** 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 Additional District Judge-1st, Munger in connection with Gangta P.S. Case No. 01 of 2020.

(Anjani Kumar Sharan, J)

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