

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85512 of 2019**

Arising out of PS. Case No.-282 Year-2019 Thana- PATAHI
District- East Champaran

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ARJUN KUMAR SAH Son of Babulal Sah Resident of Village -
Belahiram, P.S.- Patahi, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate
: Mr. Arun Kumar Sinha, Advocate
For the Opposite Party/s: Mr.Choubey Jawahar, APP.

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
SINHA**

ORAL ORDER

2 13-02-2020 Heard Mr. Shiv Shankar Sharma, learned counsel for

the petitioner and Mr. Choubey Jawahar, learned counsel

appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Patahi P.S. Case No. 282 of 2019, registered for the offence
punishable under Sections 363 and 366A/34 of the Indian Penal
Code and Section 18 of POCSO Act.

The allegation against the petitioner is that the
petitioner tried to abduct the minor girl of the informant with an
oblique motive.

Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case inasmuch as there was a business relation-ship between the petitioner and nephew of the informant and a sum of Rs. 7,00,000/- (Seven Lakhs) was misappropriated by the nephew of the Informant which was being demanded by the petitioner from the nephew of the informant hence the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner further submits that from the perusal of the First Information Report itself it is evident that the girl was not kidnapped and the statement of the informant is that when the petitioner was chased he fled away after leaving the motorcycle as well as the daughter of the informant. In support of his submission, learned counsel for the petitioner has relied upon an agreement annexed as Annexure-2 which is an agreement between the nephew of the Informant and the petitioner for running the business.

Having heard learned counsel for the parties and taking into consideration the fact that there appears to be a business relation-ship between the petitioner as well as the nephew of the informant and daughter of the informant was not ultimately abducted by the petitioner, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed



to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran, Motihari in connection with Patahi P.S. Case No. 282 of 2019, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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