

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24730 of 2020

Arising Out of PS. Case No.-72 Year-2020 Thana- GOGRI District- Khagaria

=====

Anilesh Kumar Sinha Son of Late Mahendra Prasad Sinha Resident of
Village- Bhojua, P.S.- Gogri, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Singh, Adv.
For the Opposite Party/s	:	Dr. Indivar Kumari, APP
For the Informant	:	Mr. Binod Kumar, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 22-01-2021 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Gogri P.S. Case No.72 of 2020, registered under sections 363, 366A and 34 of the Indian Penal Code.

As per allegation in the F.I.R., it is stated by the informant that on 2.3.2020 his daughter went to the K.D.S. College for filling up the form at about 11.30 am but thereafter did not return. She was carrying two mobile numbers as mentioned in the F.I.R. It is further stated that he is convinced that the petitioner herein have a hand in her kidnapping. It is further stated that Anilesh Kumar Sinha and Ashish Kumar



Sinha have abused him and his family in the past and threatened of killing them.

It is submitted by learned counsel for the petitioner that even from perusal of the F.I.R., except for an unfounded and unsubstantiated suspicion raised by the informant against the petitioner herein, neither there is any material against the petitioner in the F.I.R. nor has any material transpired in course of investigation. The petitioner happens to be the *gotia* of the informant and has been falsely implicated for oblique reasons. There was a delay of 4 days in lodging of the F.I.R. and the petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State and learned counsel for the informant.

It is submitted by learned counsel for the informant that not only the petitioner is named in the F.I.R. but there is direct allegation against him. It is further submitted that the daughter of the informant still continues to be traceless and for this reason as also for the threats given to the informant in the past, the instant application for anticipatory bail should be rejected.

Having heard learned counsel for the parties and on the submissions made with respect to the material that has



transpired in course of investigation, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of six weeks from today and in the event of his arrest or surrender in connection with Gogri P.S. Case No.72 of 2020, he will be enlarged on bail on furnishing bail bond of Rs 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria, subject to the conditions as laid down in section 438(2) of Criminal Procedure Code.

It is further directed that the petitioner shall cooperate with the Investigating Officer in the investigation of the case.

(Partha Sarthy, J)

Bibhash/-

U		T	
---	--	---	--

