

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37646 of 2020

Arising Out of PS. Case No.-863 Year-2019 Thana- BARAHAT District- Banka

MITHUN KUMAR @ MITHUN SAH SON OF JAIRAM SAH RESIDENT
OF VILLAGE - PUNSIYA BASTI, (RAI TOLA) , P.S. - BARAHAT,
DISTRICT - BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-07-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of four
weeks after restoration of normalcy.

The petitioner is apprehending his arrest in a case registered
under Sections 341, 323, 366(A) of the Indian Penal Code and 8 of
POCSO Act.

Allegedly, the petitioner enticed away the informant's daughter
for the purpose of marriage.

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. During
investigation, the victim has been recovered and her statement under
Section 164 Cr.P.C. has been recorded in which, she has stated that
she had love affair with the petitioner and she left house with her



own sweet will. The victim has solemnized marriage with the petitioner.

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 twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge (POCSO), Banka in connection with Banka (Barahat) P.S. Case No. 863 of 2019 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 eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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