

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16188 of 2021**

Arising Out of PS. Case No.-22 Year-2019 Thana- MORO District- Darbhanga

ANIL KUMAR @ ANIL SAH Son of Nandu Sah @ Nadu Sah Resident of  
Village - Chhoti Salha, P.S.- chakkmehasi, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr.APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      28-01-2022                      Due to the third wave of COVID-19 Pandemic, the  
matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For  
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned  
APP for 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 connection  
with Moro P.S. case No.22 of 2019 registered under Sections  
363, 366A, 34 of the Indian Penal Code.

Allegation is that the accused persons including the  
petitioner abducted the daughter of the informant.



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. The petitioner has falsely been implicated in the present case. From Annexure 2 to the present application, it is evident that the victim has got married to the petitioner. From perusal of the order of the Sessions Court, it is evident that the victim has been recovered and her statement under Section 164 of Cr.P.C. has been recorded. Her statement has been referred by the Sessions court in its order. The victim has stated that she had left the house out of her own will and got married to the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

It is necessary to indicate here that this Court while considering the prayer made in the present anticipatory bail application has taken note of the exponential rise in number of covid cases due to outbreak of third wave of Covid-19 pandemic. Further this Court can also not lose sight of the fact that the condition of jails is not conducive and suitable to the present situation which has arisen due to the sudden rise in covid cases.



Considering the facts and circumstances, 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 A.C.J.M. IVth, Darbhanga in connection with Moro P.S. case No.22 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)**

Narendra/-

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