

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6773 of 2022

Arising Out of PS. Case No.-281 Year-2021 Thana- BANKA District- Banka

1. Ashtanand Sah Son Of Late Jagdish Sah Resident Of Village- Lauriya, Police Station- Panjwara, District- Banka
2. Gorelal Sah Son Of Ashtanand Sah Resident Of Village- Lauriya, Police Station- Panjwara, District- Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Md. Najmul Hodda, Advocate
For the State	:	Mr.Gauri Shankar Gupta, APP
For the informant	:	Mr. Satish Chandra Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-05-2022 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

Learned Counsel for the petitioners is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

Learned Counsel for the petitioners seeks permission to
withdraw the present application on behalf of petitioner No.1, as
the petitioner No.1 has been taken into judicial custody.

Permission is accorded.

The application filed on behalf of petitioner No.1 is
dismissed as withdrawn.

The petitioner No.2 is apprehending his arrest in a



case registered under Sections 366/34 of the Indian Penal Code.

Prosecution case, in short, is that on 07.04.2021, daughter of the informant, namely, Chandana Kumari went to study in coaching centre, but she did not return. It is further claimed by the informant that his daughter was kidnapped by the accused persons. The informant further alleged that the petitioner No.2 was married to the victim but was ousted from the house.

It has been submitted on behalf of the petitioner No.2 there is no allegation of tampering of witnesses alleged against the petitioner No.2. The petitioner No.2 has falsely been implicated in the present case. The victim is none, but the wife of petitioner No.2. On the earlier occasion, a case was instituted by the victim (wife of the petitioner) for an offence under Section 498A of I.P.C. In the present case, it is alleged that the petitioner No.2 abducted his wife alongwith his father and kept in the forest. From the aforesaid facts, it appears that there is family dispute going on between the husband and the wife, which is leading to multiple of litigation between them. The victim has already been recovered in the present case as per the prosecution case.

On behalf of the State and learned counsel for the



informant, it is submitted that the petitioner No.2 is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner No.2, 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 furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Banka in connection with Banka P.S. case No.281 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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