

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23510 of 2022

Arising Out of PS. Case No.-361 Year-2021 Thana- NATHNAGAR District- Bhagalpur

KRISHNA KUMAR S/o - Dhananjay Mandal R/o -Village - Fatehpur, P.S. -
Nathnagar, District - Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jharkhandi Upadhyay, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-09-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

Let the defect(s), if any, be removed within a period of
four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable under Section 366(A) of the Indian Penal
Code.

Learned counsel for the petitioner submits that petitioner
is a person with clean antecedent.

The informant alleges that her minor daughter did not
return from school in February, 2020 and after two days she called
and informed the informant that Krishna Kumar (petitioner) enticed
her and brought her to Bengal. Accordingly, the informant asked the
petitioner to send her daughter back. Further, the maternal
grandmother of the petitioner informed the informant on 27.06.2021
that her daughter has not accompanied the petitioner, accordingly, the



present FIR came to be instituted.

Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that in February, 2020 her daughter accompanied the petitioner as has been alleged in the FIR but the informant did not take any action nor she instituted any FIR and it was only after more than one year of the occurrence the present FIR came to be instituted which creates doubt with regard to the veracity of the allegation.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six 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 the learned court below where the case is pending/successor court in connection with Nath Nagar P.S. Case No. 361 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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