

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26020 of 2022**

Arising Out of PS. Case No.-389 Year-2021 Thana- KORHA District- Katihar

1. KAILASH PODDAR Son of Ram Narain Poddar Resident of Village - Basgara (Basgarha), Police Station - Korah, District - Katihar.
2. Ram Narain Poddar Son of Late Baldeo Poddar Resident of Village - Basgara (Basgarha), Police Station - Korah, District - Katihar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioners : Mr. Jibendra Mishra, Advocate  
For the Opposite Party : Mr. Zainul Abedin, APP

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

2      14-11-2022                      Heard learned counsel for the petitioners and learned counsel for the State.

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

The petitioners are apprehending their arrest in a case registered for the offence under Sections-363, 366(A)/34 of the Indian Penal Code.

The prosecution allegation, in short, is that in the night of 02-09-2021, while the informant was sleeping, the accused persons named in the FIR arrived there and kidnapped his minor girl namely Sweta Kumari and fled away by motorcycle.

It has been submitted on behalf of the petitioners that the



petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. From perusal of the FIR itself, it appears that the victim girl eloped with son of the petitioner No. 2 with her own sweet will. This fact has been stated by the informant himself in the FIR. No offence of abduction or kidnapping is attracted in the present case. It is further submitted that out of love affairs, the victim had eloped with son of petitioner No. 2.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above-named, in the event of arrest/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/- (ten thousand) each with two sureties of the like amount each of the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Korha P.S. Case No. 389 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V.//-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

