

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7263 of 2021

Arising Out of PS. Case No.-87 Year-2020 Thana- TAJPUR District- Samastipur

SURAJ SAH Son of Chunnu Sah Resident of Village - Shrirampur ayodhya,
P.S.- Pusa, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Mahendra Pratap, Advocate
For the State	:	Mr.Ram Sevak Chaudhary, APP
For the informant	:	Mr. Karandeep Kumar, Advocate

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, learned APP
for the State and learned counsel for the informant 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 Tajpur (Waini O.P.) P.S. case No.87 of 2020 registered
under Sections 366(A) and 34 of the Indian Penal Code,



pending in the court of A.C.J.M.-I, Samastipur.

Prosecution case, in short, is that the accused persons including the petitioner kidnapped the minor daughter of the informant when she went to Punjab National Bank, Pusa Road Branch.

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. The case has been instituted after three days of the alleged occurrence. There is no explanation for delay in lodging of the present case. The victim has been recovered.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. The victim has been recovered. Her statement under Section 164 of Cr.P.C. has been recorded. The victim has named the petitioner also in her statement recorded under Section 164 of Cr.P.C. In her statement recorded under Section 164 of Cr.P.C., the victim has categorically stated that the petitioner and other co-accused had kidnapped her and forcibly performed her marriage with Suraj Kumar son of Arjun Sah.

Considering the aforesaid facts and circumstances, I



am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

If the petitioner surrenders before the court below and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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