

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61419 of 2022

Arising Out of PS. Case No.-101 Year-2014 Thana- BAIRIYA District- West Champaran

KUNDAN KUMAR SAH S/O Shambhu Sah Resident of village- Bairiya,
P.S- Bairiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gauri Shankar Thakur, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd.(APP)

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-11-2022 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 offences punishable under Sections 366-A/34
of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner has antecedent of two cases.

The informant alleges that his daughter was
kidnapped by Kundan Kumar Sah and Chandan Kumar Sah in
his presence while Shambhu Sah and Manju Devi fled away
from the place of occurrence.

Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the present case. It is



further submitted that police after investigation submitted final form in favour of the accused persons. It is also submitted that the victim in her statement recorded under Section 164 Cr.P.C. does not support the prosecution case and the learned trial court has assessed the age of the victim to be 22 years.

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.5,000/- (Rupees Five 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 Tr. No. 4392 of 2021 arising out of Bairiya P.S. Case No. 101 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

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