

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40042 of 2022**

Arising Out of PS. Case No.-16 Year-2022 Thana- RAMNAGAR District- West Champaran

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AMIT KUMAR S/O SRI SANJAY KUMAR Resident of village- Fulwariya,  
Ward No.- 03, P.S.- Chakia, District- East champaran, at present, resident of  
Bankers Colony, Banuchhapar, P.S.- Bettiah Muffasil, (Banuchhapar O.P.),  
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Ganesh Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      27-02-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

Learned counsel for the petitioner undertakes to  
remove the defects within three weeks.

The petitioner is apprehending his arrest in a case  
registered for the offence punishable under Sections 363 and  
366/34 of the Indian Penal Code and Section 8 of the Protection  
of Children from Sexual Offences Act, 2012 pending in the  
learned court below.

Allegation against the petitioner is that he along with  
other co-accused person is said to have kidnapped the daughter  
of the informant for the purpose of marriage.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner being the brother of the main accused Aditya Kumar was made accused in the case stating at the fag end of the FIR that he was giving out threatening and his role was assigned in the act of kidnapping/enticing away. He submits that there is no specific overt act against the petitioner. He further submits that there is no evidence or material available in the case diary. He further submits that petitioner has got one criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail and submits that the petitioner is also involved in the present case. Therefore, he does not deserve bail.

Considering the aforesaid facts and circumstances and the fact that there is no any evidence against the petitioner in the case diary, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Ramnagar P.S.



Case No.16 of 2022, subject to the condition as laid down under  
Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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