

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51795 of 2023

Arising Out of PS. Case No.-554 Year-2022 Thana- PURNEA SADAR District- Purnia

Sonu Kumar Sah, Son of Kailash Sah, Resident of Village - Manshi, P.S.-
Manshi, District - Khagariya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sarvottam Kumar, Advocate

For the Opposite Party : Mr. Mritunjay Kumar Nirala, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 14-12-2023 Learned counsel for the petitioner is permitted to remove the defect(s) as pointed by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. The petitioner is apprehending his arrest in connection with Sadar P.S. Case No. 554 of 2022 dated 05.08.2022 registered for the offences punishable under Sections 363, 365 and 366A/34 of the I.P.C.

4. As per prosecution case, the informant has alleged that on 02.08.2022, in the morning, when her daughter had gone to attend the coaching for study near Mohan Lal Bajaj School, she did not return for long time. The informant came to know



that the co-accused Raj Kumar Sah and his wife Arti Devi @ Arti Kumari have taken away her daughter alongwith Rs. 51,000/-. The informant further alleged that the co-accused Raj Kumar Sah left his daughter with one Sonu Kumar (petitioner), who is his brother-in-law, for the purpose of marriage.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely been implicated in the present case. It is submitted that the victim in her statement recorded under Section 164 Cr.P.C. has stated that she solemnized marriage with the petitioner Sonu Kumar Sah. It is further submitted that the victim was not forced to illicit relationship with another person. There was love affairs between the petitioner and the victim. It is further alleged that the occurrence took place on 02.08.2022 and the present F.I.R. was lodged on 05.08.2022 after a lapse of three days for which no explanation has been given by the prosecution. The other co-accused persons have been granted anticipatory bail by another Co-ordinate Bench of this Court vide order dated 17.05.2023, passed in Cr. Misc. No. 9419 of 2023, annexed as Annexure-2 to the bail application. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail application.

6.Learned A.P.P. for the State has opposed the prayer



for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Purnea in connection with Sadar P.S. Case No. 554 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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