

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46383 of 2022**

Arising Out of PS. Case No.-94 Year-2022 Thana- HATHAURI District- Muzaffarpur

KODAI SAH Son of Late Shambhu Sah R/o village - Mahuli, P.S.- Aurai,
District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 02-01-2023 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with Hathauri P.S. Case No. 94 of 2022 for the offence registered under Sections 341, 323, 324, 327, 363, 364, 504 and 506/34 of the Indian Penal Code.

As per the prosecution story, the informant alleged that her husband proceeded for Muzaffarpur but later informed that accused persons including the petitioner herein have abducted him for money.

Learned counsel for the petitioner submits that actually the informant's husband was running a chit fund company in which they had deposited the amount and upon maturity, when they wanted the money back, this case was instituted. It is his further submission that one of the similarly



placed co-accused Sanjay Sah @ Sanjay Kumar Sah has since been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 41047 of 2022 vide order dated 12.12.2022.

Let the same be kept on record.

Learned APP for the State opposes the prayer for bail and submits that the allegation is that the petitioner forcibly abducted the informant's husband.

Taking into account the fact that the petitioner is an aged person of 80 years, it is a matter relating to chit fund company, as per the statement made in the petition, the police has not found anything against the petitioner during the course of investigation and one of the co-accused has since been released on anticipatory bail by a co-ordinate Bench of this Court, this Court is inclined to grant him privilege of anticipatory bail.

Let the petitioner, in the event of his arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Muzaffarpur in connection with Hathauri P.S. Case No. 94 of



2022, subject to the condition as laid down under Section 438(2)
of the Cr.P.C.

(Rajiv Roy, J)

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