

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47005 of 2023**

Arising Out of PS. Case No.-37 Year-2023 Thana- KURSAKANTA District- Araria

Abhishek Sah @ Abhishek Kumar Sah, Male, aged about 22 years, Son of  
Birendra Sah, Resident of Village Megra Mehdiपुर, Ward No 02, P.S.  
Kursakanta, District-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate  
For the State : Mr. Pradeep Narain Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

2      19-08-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends arrest in connection  
with Kursakanta P.S. Case No. 37 of 2023 dated 26.02.2023  
instituted under Sections 366 and 366A/34 of the Indian Penal  
Code.

3. As per the prosecution case, the minor daughter of  
the informant was kidnapped by the petitioner along with co-  
accused persons.

4. Learned counsel for the petitioner submits that  
petitioner is innocent, committed no offence and has falsely  
been implicated in this case. The victim girl in her statement  
recorded under Section 164 Cr.P.C. has disclosed that her age



to be 20 years and she stated that she was in love affairs with the petitioner and due to difference of caste, her family members were not ready to get her married with him. She was not kidnapped rather she went on her own volition and she left herself from the house. The petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., 1<sup>st</sup>, Araria in Kursakanta P.S. Case No. 37 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

**(Sunil Dutta Mishra, J)**

P. Kumar

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