

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52455 of 2023

Arising Out of PS. Case No.-168 Year-2023 Thana- PARBATTa District- Khagaria

Kailash Sah Son Of Late Suresh Sah Resident Of Village - Deori, P.S. -
Parbatta, District - Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Ms.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-08-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner is apprehending his arrest in
connection with Parbatta P.S. Case No. 168 of 2023 registered
for the offence punishable under Sections 366A and 34 of the
Indian Penal Code.

3. The informant has alleged that her sister's daughter,
Lakshmi Kumari, left home as usual at 5 a.m, whereafter she
has not returned home. After search, informant realized that she
has been enticed away on the pretext of marriage by one
accused (Himanshu Kumar), the petitioner and his wife.

4. The learned counsel for the petitioner submits that
the petitioner, before this Court, is the unfortunate father of
Himanshu Kumar. Both Himanshu Kumar and the alleged



victim are missing; and in spite of best efforts, the petitioner is also unable to ascertain the whereabouts of co-accused Himanshu Kumar. By virtue of his relationship (father) with Himanshu Kumar, he has been implicated merely on suspicion. He is having no antecedents.

5. Learned APP for the State has opposed the prayer for pre-arrest bail.

6. Considering the rival submissions, the fact that the petitioner is the father of Himanshu Kumar, clean antecedent, and the nature of allegations, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

7. Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Khagaria in connection with Parbatta P.S. Case No. 168 of 2023 , subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

(i) That one of the bailors
will be a close relative of the petitioner
who will give an affidavit giving



genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

SUMIT/-

U		T	
---	--	---	--

