

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72085 of 2022

Arising Out of PS. Case No.-87 Year-2022 Thana- MARANCHI District- Patna

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BANTI KUMAR @ BHOLA SINGH @ LOVE KUMAR SON OF LATE
UPENDRA SINGH R/O VILLAGE- BADPUR, P.S.- MARANCHI,
DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-04-2023 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Maranchi PS case no. 87 of 2022, registered
for the offences punishable under Sections 366(A), 363 of the
Indian Penal Code.

The allegation is regarding the accused persons
having kidnapped the victim girl.

The learned counsel for the petitioner submits that
the petitioner is innocent, he has been falsely implicated in the
present case and he is having a clean antecedent. The learned
counsel for the petitioner has referred to the statement made by
the victim girl under Section 164 Cr.P.C., before the learned



Magistrate, which is annexed as Annexure-2 to the present petition, to submit that the victim girl has alleged that she was kidnapped by one Shivam, who had taken her forcibly to a hostel situated at Lakhisarai and then he had taken her to a hostel at Begusarai, however as far as the petitioner is concerned, he is only named to be one of the kidnapper.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the victim girl, in her statement made under Section 164 Cr.P.C., has only alleged that the co-accused person namely Shivam Kumar had kidnapped her and has not levelled any allegation against the petitioner herein, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with



two sureties of the like amount each to the satisfaction of J.M.
1st class, Barh in connection with Maranchi PS case no. 87 of
2022, subject to the conditions as laid down under Section
438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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