

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67414 of 2024

Arising Out of PS. Case No.-142 Year-2020 Thana- SITAMARHI District- Sitamarhi

Amrit Singh S/o- Arun Singh Village- Krishn Nagar Binma Tola, Mehsaul
West P.S- Sitamarhi, District Sitamarhi, P/a- Narha Ps- Suppi Dist- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mahmuda Khatoon wife of Md. Jamshed Ansari R/o- W.NO-1, Binmol tola
Mehsaul West, Ps- Sitamarhi Dist- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-10-2024 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Sitamarhi Police Station Case No. 142 of 2020,
disclosing offences under Sections 363, 366A, 372, 34 of the
Indian Penal Code.

3. As per the First Information Report, in the night of
28/29.02.2020, co-accused Satyam Kumar along with his
accomplices, entered into the house of the informant and
kidnapped the minor grand-daughter of the informant namely
Naziya Parveen @ Sonam on gun point. The informant has
suspected that her grand-daughter has been kidnapped for the



purpose of immoral trafficking.

4. Learned Counsel for the petitioner submits that the petitioner is not named in the FIR. The victim girl along with co-accused Satyam Kumar were recovered and her statement under Section 161 Cr.P.C. was recorded in which she has not disclosed the name of the petitioner as well. It is in the statement of the victim girl, recorded under Section 164 Cr.P.C. for the first time, petitioner's name has been disclosed by the victim along with the names of co-accused and brother-in-law and sister of Satyam Kumar, Jay Kishore and Puja Kumari who were also named in the FIR. The petitioner is having no criminal antecedent and is aged about twenty nine years and is in job. The co-accused Satyam Kumar has been acquitted in the trial.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is not named in the FIR and in the statement of the victim girl recorded under Section 161 Cr.P.C. she has not disclosed the name of the petitioner and the co-accused Puja Kumari has been granted anticipatory bail by the Additional Sessions Judge-VI cum Special Judge (POCSO Act), Sitamarhi in A.B.P. No. 257/2023, I am inclined to grant the petitioner privilege of anticipatory bail.



6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 learned Chief Judicial Magistrate, Sitamarhi, in connection with Sitamarhi Police Station Case No. 142 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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