

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74646 of 2024

Arising Out of PS. Case No.-192 Year-2024 Thana- DIGHWARA District- Saran

Birendra Mahto Son of Late Laddu Mahto Resident of Village- Manupur,
p.S.- Dighwara, Distt.- Saran at Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Khushi Awadh, Adv

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-10-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 363, 366(a), 34 of the Indian Penal Code.

3. As per the FIR, there is an allegation against the co-accused namely, Aman Kumar to kidnap the minor daughter of the informant. When the family members of the informant went to the house of Aman Kumar, the petitioner disclosed that the victim has been taken away by the co-accused Aman Kumar.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and



omnibus in nature. There is no specific overt act against the petitioner. It is further submitted that though the victim has supported the prosecution case in her statement recorded u/s 164 of Cr.P.C. but the specific allegation is levelled against the co-accused Aman Kumar and petitioner is his father. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Dighwara P.S. Case No.192 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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