

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82367 of 2023

Arising Out of PS. Case No.-479 Year-2022 Thana- KALYANPUR District- Samastipur

Amarjeet Kumar, Son of Sanjay Kumar Das, R/O Village- Hasanpur Krit,
P.S.- Kalyanpur, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Kalyanpur P.S. Case No. 479 of 2022 registered for the alleged offences under Sections 363, 366, 366A, 504/34 of the Indian Penal Code.

3. As per prosecution case, the informant lodged a case for kidnapping of his daughter against the petitioner. When the informant made complaint to the family members of the petitioner, they assaulted and threatened him.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The occurrence took place on 13.12.2022, but the FIR has been lodged after nine days on 22.12.2022 and there is no



reasonable explanation for the same. The victim girl was recovered and her statement was recorded by the police as well as before the Magistrate under Section 161 Cr.P.C as well as under Section 164 Cr.P.C., respectively and in her both statements, she did not name this petitioner as her kidnapper, rather she stated that she left her house on her own and stayed at the place of her friend. The medical board did not find any evidence of sexual assault on the victim girl. The petitioner has got no criminal history.

5. Learned APP opposes the prayer for grant of anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the victim girl did not name the petitioner for any wrong doing and denied the case of kidnapping as alleged by the informant, let the petitioner, above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum Special Court, (POCSO), Samastipur, in connection with Kalyanpur P.S. Case No. 479 of 2022, subject



to the conditions mentioned in Section 438(2) of the Cr.P.C. and
the following conditions:

(i) One of the bailors will be a close relative of
the petitioner.

(ii) The petitioner will remain present on each
and every date fixed by the court below, if so
required by the learned trial court.

(Arun Kumar Jha, J)

V.K.Pandey/-

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