

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26372 of 2015

Arising Out of PS.Case No. -404 Year- 2014 Thana -MAHUA District- VAISHALI(HAJIPUR)

Sukesh Singh son of Ram Sujeet Singh @ Ram Sudisth Singh Resident
of village Hudhudpur Garahi, P.S. Deshari, District - Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar
For the Opposite Party : Mr. Ram Naresh Roy(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in Mahua
P.S.Case No.404 of 2014 instituted under Sections 363 and
366(A) of the Indian Penal Code pending in the Court of CJM,
Vaishali at Hajipur.

It is alleged by the informant that on 04.10.2014 her
minor daughter, namely, Kanchan Kumari aged about 13 years
found disappeared since 5 P.M. It is alleged that the petitioner had
made a call on the mobile of the informant. The informant has
suspected that the petitioner has kidnapped his minor daughter for
the purpose of marriage.

It has been submitted on behalf of the petitioner that
petitioner has got no criminal antecedent. It is further pointed out
that as per the statement of the victim girl made under Section 164

Cr.P.C. she has claimed to travel from Vaishali to Muzaffarpur and Delhi only within a period of three days and in course of travel, she has alleged that physical relationship was also established but from the perusal of the medical report, it appears that no external injury on her private parts has been found as hymen is old torn. However, her age is assessed as 17 to 19 years.

It has been submitted on behalf of the State that the petitioner is named in the FIR.

Considering the aforesaid facts, I am not inclined to grant anticipatory bail to the petitioner.

Any how, if the petitioner surrenders in the court below within a period of four weeks and pray for regular bail, same shall be considered by the court below on its own merit without being prejudiced by this order preferably on the same day.

(Sudhir Singh, J)

Brajesh Kr./-

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