

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30837 of 2017

Arising Out of PS.Case No. -132 Year- 2014 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

=====

Dharmveer Kumar, S/o Ram Briksh Singh, R/o Village- Mohamadpur
Kauari, P.S. Waini, District-Samastipur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 06-07-2017 Heard both sides.

The petitioner apprehends his arrest in connection with Muffasil P.S. Case No. 132 of 2014 instituted for the offences punishable under Sections 363 and 366-A of the Indian Penal Code.

The informant has alleged that co-accused Sumant Kumar with the help of others abducted his daughter when she had gone to appear in practical examination.

The learned counsel for the petitioner submits that the allegation is not specific against the petitioner. The co-accused Sumant Kumar against whom there is a specific allegation has been allowed regular bail by one of the co-ordinate Bench in Criminal Miscellaneous Application No. 22142 of 2017. The daughter of the informant in her statement given under Section 164 Cr.P.C. has not stated any specific act



by this petitioner and so, the petitioner deserves anticipatory bail.

The learned APP for the State opposed the submissions.

On perusal of documents on record, I find that this petitioner is named in the F.I.R. The victim in her statement has stated that one Sumant Kumar was standing with a vehicle and this petitioner and three others were also present there. Thereafter, co-accused Sumant Kumar insisted her to sit in his vehicle. He administered water, whereafter she lost her consciousness and she was moved to other places, where the co-accused Sumant Kumar established physical relation with her.

Considering the complicity of the petitioner, I am not inclined to grant him anticipatory bail. Accordingly, his prayer for grant of anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and prays for regular bail, the same shall be considered on merit on the same day without being prejudiced by the order of this Court.

(Sanjay Kumar, J)

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