

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6554 of 2018

Arising Out of PS.Case No. -183 Year- 2017 Thana -HISUA District- NAWADA

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Ankush Kumar @ Aakuash Kumar, Son of Bipin Singh, Resident of
Village- Jamuawa, P.S.- Wazirganj, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 02-02-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections
366A/34 of the Indian Penal Code.

The prosecution case as per the written
report of the informant Ramudit Singh dated 01.09.2017
submitted to the Station House Officer of Hisua Police Station is
to the effect that on 01.09.2017 the grand daughter of the
informant namely, Rashmi Rani, aged about 14 years, left the
house to attend the school. In the meantime, co-accused Bikas
Kumar and this petitioner Ankush Kumar kidnapped her on
01.09.2017. The grand son of the informant, Sinku Kumar,



received a call on his mobile from Bikas Kumar claiming that he has kidnapped the grand daughter of the informant.

It is submitted by learned counsel for the petitioner that the victim in her statement recorded under Section 164 Cr.P.C. got her age recorded as 15 years when the Court has assessed her age as such, where she has stated that Sumit Kumar stated for having physical relationship. On 01.09.2017 Sumit forcibly established physical relationship with the victim. Thereafter, she went to railway station and went to Gaya, at Gaya she stayed for one day and thereafter she came back to Nawada but she did not disclose to her parents. Thereafter, she went to Nawada Police station and narrated about the occurrence.

It is submitted by learned counsel for the petitioner that only on suspicion the accusation has been levelled. The victim has not named the petitioner in her statement recorded under Section 164 Cr.P.C. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Considering the thrust of accusation against Bikas Kumar in the FIR and in the statement recorded under Section 164 Cr.P.C. the victim has named one Sumit Kumar, let



the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Hisua P.S. Case No. 183 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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