

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51202 of 2017

Arising Out of PS.Case No. -78 Year- 2016 Thana -BAIKUNTHPUR District- GOPALGANJ

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1. Neeraj Kumar Singh, Son of Jai Narayan Singh, Resident of Village-
Marachhi, P.S.-Jamo Bazar, District-Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Pandey Mr. Radhe Shyam Kumar
For the State	:	Dr. Rabindra Kumar, APP
For the Informant	:	Mr. Mani Bhushan Kumar Singh Mr. Binod Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6 04-01-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and the State.

The petitioner apprehends arrest in Baikunthpur P.S.
Case No. 78 of 2016 instituted for the offence under Sections 363
and 366A of the Indian Penal Code.

It is alleged in the written report that the elder sister of
the informant had gone to Yogendra Rishi Kul High School
Rewthith, but she did not return. Then, they started searching her,
but could not trace out. Thereafter, one telephone call was
received from mobile number as mentioned in the written report
stating that she was well and studying at Saraswati Vidhya
Mandhir, Basantpur and she also disclosed that she is in regular



connection on phone with Niraj Kumar Singh. The petitioner and his family members had earlier kidnapped the elder sister of the informant for which Baikunthpur P.S. Case No. 96 of 2013 was registered and the police have submitted charge-sheet in that case. It is also alleged that the informant has trust that the petitioner and his family members have again kidnapped his sister with a view to kill her.

Learned counsel for the petitioner has submitted that earlier, the victim girl has given her statement under Section 164 of the Cr.P.C. wherein she levelled the allegation against her father of attempting to commit illegal act with her. This false case has been filed due to enmity between the parties.

Learned counsel for the informant has appeared and submitted that in the instant case, the victim girl in her statement under Section 164 of Cr.P.C. levelled specific allegation against the petitioner of kidnapping her and confining her in different villages of Siwan. In her statement, it is also alleged that the petitioner and his brother developed physical relationship with her and they also assaulted her. The victim has stated her age as 15 years, but the Court has assessed her age as 17 years. Learned counsel for the informant has pointed out that the victim girl has filed petition in Baikunthpur P.S. Case 96 of 2013 against the



petitioner and his family members that her statement was recorded by force.

Therefore, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail is rejected.

The petitioner is directed to surrender in the court below within six weeks from today and seeks regular bail which will be considered by the court below and disposed off in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

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