

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42418 of 2019

Arising Out of PS. Case No.-122 Year-2017 Thana- CHANDRAMANDI District- Jamui

1. Barki Marandi Wife of Sukhu Hansda, Resident of Village - Nauntara, P.S.- Chadramandih, District- Jamui.
2. Pappu Hansda Son of Sukhu Hansda, Resident of Village - Nauntara, P.S.- Chadramandih, District- Jamui

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Niranjana Parihar, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 30-09-2019 Heard learned counsel for the petitioners as also
learned APP for the State.

This application has been preferred on behalf of two
petitioners, however, it has been informed that petitioner no. 1
Barki Marandi died during pendency of this application.

Learned APP for the State submits that this fact has
come in the case diary.

The present application, therefore, survives only in
respect of Pappu Hansda (Petitioner No. 2) who is apprehending
his arrest in connection with Chandramandih P.S. Case No. 122
of 2017 registered for the offences punishable under Sections
406, 120(B), 363, 366(A)/34 of the Indian Penal Code.



The allegation against petitioner no. 2 is that he had taken away the daughter of the complainant in the year 2013 saying that she will be engaged in Elva Gas Factory. It is the allegation of the complainant that initially when the petitioner came back to the village he made available Rs. 10,000/- to the complainant saying that the amount has been sent by his daughter. The petitioner had promised that he will bring back the daughter of this complainant when he will come again in the year 2014. Thereafter the petitioner did not bring back the daughter of this complainant whenever he asked about his daughter the petitioner abused the complainant and did not make available any information about it.

Learned counsel for the petitioner submits that the petitioner is a co-villager of the complainant and it is only with an intention to help the complainant who was a handicapped person having no regular source of income that the petitioner had got engaged his daughter in Delhi but thereafter it seems that she has married to somebody and her whereabouts is not found.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner saying that the victim girl was aged about 16 years when she was taken to Delhi by this



petitioner. It is this petitioner who had taken the responsibility of the victim girl but thereafter he is not giving any information about her.

Having heard learned counsel for the parties finding that the victim girl was aged about 16 years only at the time she was taken to Delhi by this petitioner and thereafter her whereabouts is not known, this Court is not inclined to grant privilege of anticipatory bail to the petitioner no. 2. If the petitioner no. 2 surrenders and prays for regular bail in the court below within a period of four weeks from today, the same shall be considered on its own merit without being prejudiced by the order of this Court.

The application is dismissed.

(Rajeev Ranjan Prasad, J)

vats/ved

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