

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41363 of 2019

Arising Out of PS. Case No.-358 Year-2018 Thana- HISUWA District- Nawada

Vikash Kumar, Son of Umesh Yadav Resident of Village - Kahariya Beldari,
P.S.- Hisua, Distt - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Arun, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-07-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Hisua Police Station Case No. 358 of 2018, disclosing offences under Section 366A of the Indian Penal Code.

The allegation against the petitioner is that informant given a written report to the police that her daughter, namely, Tannu Kumari, aged about 16 years, eloped with one Chandan Kumar and his friend Vikas Kumar for the purpose of getting marriage.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case inasmuch as from perusal of FIR, it appears that Chandan Kumar is friend of Vikas Kumar. Learned counsel for the



petitioner submits that the victim girl has been recovered and the police has produced her before the Magistrate for recording statement under Section 164 of Cr.P.C., in which she specifically stated that she had left her house on her own will and nobody had abducted and kidnapped her.

After having heard learned Counsel for the parties and taking in consideration the fact that in her statement recorded under Section 164 Cr.P.C. the victim girl has said that she had left her house on her own will and petitioner has not abducted her, accordingly, this application is allowed.

Let the petitioner, Vikash Kumar, in the event of his arrest or surrender before the Court below within four weeks from the date of receipt of a copy of this order be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nawada in connection with Hisua Police Station Case No. 358 of 2018; subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail



bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

Sujit/
S.Katyayan/-

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