

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40954 of 2019

Arising Out of PS. Case No.-253 Year-2018 Thana- BHARGAMA District- Araria

Ashok Kumar @ Ashok Sharma, Male, aged about 22 years, Son of Ramesh Sharma, Resident of Village - Sonapur (Pekpar), P.S.- Bhargama, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

4 20-09-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Bhargama P.S. Case No. 253 of 2018 registered under section 366(A) of Indian Penal Code.

The allegation against the petitioner, as per the first information report, is that the daughter of the informant was missing since 05.10.2018 and upon inquiry, the informant came to know that the petitioner along with other accused persons were seen talking with the daughter of the informant in the evening of 14.10.2018.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in this case inasmuch as the petitioner belongs to different village and as per the first information report the informant has alleged that the daughter of the informant was kidnapped for marriage by the



petitioner and other accused persons. Learned counsel further submits that the daughter of informant was taken away by other co-accused Sawan Kumar.

On the other hand, learned counsel appearing for the State referring to the case diary submits that one of the independent witnesses has said that the father of the co-accused Sawan Kumar has stated that his son has kidnapped the daughter of the informant for the purpose of marriage. Learned counsel further submits that the petitioner Sawan Kumar has also been named as per the first information report and during investigation. Learned counsel further submits that the girl is minor and has not been recovered and in custodial interrogation, the possibility of recovery of the girl will be there.

Having regard the submissions made by the parties and taking into consideration of the fact that a minor girl has been abducted and has not been recovered as yet and the petitioner is named in the first information report, I am not inclined to exercise my discretion to grant anticipatory bail.

This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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