

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43939 of 2019

Arising Out of PS. Case No.-124 Year-2019 Thana- KUDRA District- Kaimur (Bhabua)

SUNIL KUMAR GUPTA Son of Chandrama Sah Resident of Village -
Bahera, P.S.- Kudra, District - Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar Sharma

For the Opposite Party/s : Mr.Syed Mojibur Rahman

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 17-07-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State as also the learned counsel for the

informant.

The petitioner apprehends his arrest in connection
with Kudra P.S. Case No.124 of 2019 registered under Sections
366(A)/34 of the Indian Penal Code, pending in the court of the
Additional Chief Judicial Magistrate-VI, Kaimur at Bhabua.

The accusation is that in the morning of 09.04.2019,
Sakshi Kumari, aged about 16 years, and Swati Kumari, aged
about 15 years, both daughters of the informant Pramod Keshri,
were going to school at Fakrabad. In the way at N.H.2, one
white colour four wheeler vehicle was standing there from
before. At that time, Sakshi was forcibly kidnapped. Thereafter,



Swati, another daughter of the informant, raised alarm disclosing the name of the petitioner from whose vehicle three persons were sitting from before. Regarding the said incident, Swati Kumari, another daughter of the informant, gave information to the informant and when she was not traced out in spite of search, then the informant gave an application at the police station on 12.04.2019.

Learned counsel appearing on behalf of the petitioner submits that while the alleged occurrence is said to be of 09.04.2019 but the informant has lodged the present case on 12.04.2019, i.e., after three days of the occurrence. It has further been submitted that the victim was set free on the same day of the alleged occurrence.

On the other hand, learned counsel for the informant submits that the statement of the victim Sakshi was recorded under Section 164 of the Code of Criminal Procedure, in which she has clearly stated about her kidnapping by four persons, out of whom, he identified the petitioner.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of



anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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