

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71593 of 2019

Arising Out of PS. Case No.-7 Year-2017 Thana- UJIYARPUR District- Samastipur

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Ravi Kishan @ Ravi Kishan Raj, Son of Vindeshvar Mahto Resident of
Village-Bela Megh, P.S.-Ujiyarpur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rana Vikram Singh

For the Opposite Party/s : Mr.Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-11-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Ujiyarpur P.S. Case No.7 of 2017, for the offence punishable
under Sections 366(a), 34 of the Indian Penal Code.

The allegation against the petitioner, as per the First
Information Report is that six persons had abducted the
daughter of the informant and the petitioner was not named in
the FIR. The name of the petitioner has come on the basis of
statement recorded of the victim girl under Section 164 Cr.P.C.
on 24.03.2017.

Mr. Rana Vikram Singh, learned counsel appearing
for the petitioner submits that petitioner has falsely been
implicated in this case inasmuch as there was love affairs



between one Ajay Kumar and the victim girl and victim girl had solemnized her marriage with Ajay Kumar in a temple at Bhagalpur. Learned counsel further submits that a second FIR was lodged by father of the victim girl on 21.04.2017 alleging therein that the husband of the victim girl as well as other family members of the said Ajay Kumar arrived at the residence of the informant and forcibly took away the daughter of the informant from the custody of the informant. Learned counsel further submits that the statement of the daughter of the informant pursuant to the second FIR bearing Ujiyarpur P.S. Case No.61 of 2017 was recorded on 01.06.2017 which is Annexure-4 to this application and from perusal of the same, it would be evident that the victim girl has categorically stated that she has on her own will has married to Ajay Kumar and she wants to live with said Ajay Kumar as his wife and wants to go to her matrimonial home. Learned counsel referring to Annexure-5 submits that the police after thorough investigation has submitted final form not sending the petitioner and others for trial. Learned counsel further submits that, however, the learned Magistrate has differed with the police report and has taken cognizance against the petitioner.

Having regard to the submissions made by the parties



and taking into consideration the fact that the victim girl in her statement recorded under Section 164 Cr.P.C. has categorically stated that she has solemnized marriage with one Ajay Kumar and the police after investigation has submitted final form not sending the petitioner for trial, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Dalsingsarai, Samastipur, in connection with Ujiyarpur P.S. Case No.7 of 2017, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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