

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69721 of 2019

Arising Out of PS. Case No.-309 Year-2019 Thana- HISUWA District- Nawada

MANISH KUMAR Son of Sri Sanjay Singh Resident of Village - Kaithir, P.S.
- Hisua, District - Nawada (Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar
For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 13-12-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Hisua P.S.Case No.309 of 2019 dated 1.8.2019 registered for offences punishable under Section 366A of the Indian Penal Code.

As per FIR, there is allegation against the petitioner and other accused persons that they enticed the minor daughter of the informant away.

Submission of the learned counsel for the petitioner is that her statement under Section 164 Cr.P.C. is said to be contradictory as in her statement she has not taken name of the petitioner or any other person but later on she has stated that the petitioner and other accused persons have forcibly taken her and brought her at Patna Railway Station when the case was lodged,



she was freed. By filing supplementary affidavit, it has also been submitted that later on she has stated that on the pressure of the police, she has made such statement before the Magistrate.

Heard learned A.P.P. , who has opposed the prayer for bail on the ground that the girl is also minor. .

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail, which will be considered by the learned court below on the basis of the materials available on the record as well as submissions as made above and if possible to be disposed of on the same day.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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