

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78258 of 2019

Arising Out of PS. Case No.-35 Year-2019 Thana- KALYANPUR District- Samastipur

RANA KUMAR SINGH @ RANA PRATAP CHAUHAN, Male, aged about 18 years, Son of Uday Kumar Singh, Resident of Village - Chhakantoli, P.S.- Kalyanpur, District – Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Baleshwar Kamat, Advocate.

For the Opposite Party : Mr.Satyavrat Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-12-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 363 and 366(A)/34 of the IPC.

The prosecution story, in brief, is that on 01.03.2019 at about 5.00 P.M. in the evening, the daughter of the informant, namely, Anuradha Kumari, aged 14 years, had gone to attend the call of nature from the house near west Railway in an orchard. When she did not return for a long time then the informant started searching her. In course of which, he came to know from the villagers that his co-villager Nitish Sharma with the help of his friends Rana Kumar Singh (petitioner) and Panchu Rai,



enticed and took away the daughter of the informant. The informant went to the house of Jitendra Sharma who is the father of Nitish Sharma but he did not find either the co-accused Nitish Sharma or his daughter. It has further been said that due to searching of his daughter, information has been given late.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is a handicapped person. He could not have committed an offence of abduction. A certificate to that effect has been issued by the Civil Surgeon-cum-Chief Medical Officer, Samastipur, vide Annexure-4 to the present application. The allegation of physical abuse is alleged against co-accused Nitish Sharma under whose illegal confinement the victim was kept in the State of Punjab. The victim has been examined under Section 164 Cr. P.C. where she has not made allegation against this petitioner but she has alleged that this petitioner has participated in abduction. Though there is no allegation of physical or sexual abuse against this petitioner.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.



Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in connection with Kalyanpur P.S. Case No. 35 of 2019, pending in the court of learned C.J.M., Samastipur.

If the petitioner surrenders and prays for regular bail in the learned court below the same shall be considered and disposed of on its own merit without being prejudiced by the order of this Court.

(Sudhir Singh, J)

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