

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10497 of 2020

Arising Out of PS. Case No.-342 Year-2019 Thana- MOTIPUR District- Muzaffarpur

SURAJ KUMAR Son of Ram Bilas Baitha @ Mintu Baitha Resident of
Village- Mahna Chowk, P.S.- Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Chandra

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 24-09-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through video
conferencing.

The petitioner apprehends his arrest in connection
with Motipur Police Station Case No. 342 of 2019, registered
for the offence punishable under Section 366 of the Indian Penal
Code.

The allegation against the petitioner is that the
petitioner abducted the wife of the informant for illicit purposes.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case with oblique
motive. He further submits that the occurrence has taken place
on 17.11.2019; whereas the complaint has been lodged on
26.11.2019 without any explanation for delay in filing the



complaint. He further submits that the victim lady was not recovered by the police; rather, she herself arrived at the Police Station and her statement, under Section 164 of the Code of Criminal Procedure, 1973, was recorded.

On the other hand, learned Additional Public Prosecutor submits that the victim lady was kidnapped for the purpose of human trafficking and selling her and from the statement, recorded under Section 164 of the Code of Criminal Procedure, 1973 of the victim lady, it would be evident that the victim lady had somehow fled from the captivity of the petitioner and arrived at the Police Station and thereafter her statement, under Section 164 of the Code of Criminal Procedure, 1973, was recorded in which she has explained as to how she was kidnapped and kept confined in a room by the petitioner.

Having heard learned Counsel for the parties and taking into consideration the materials on record, I am not inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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