

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11708 of 2020

Arising Out of PS. Case No.-630 Year-2019 Thana- SITAMARHI District- Sitamarhi

Ram Nandan Singh (male) aged about 55 years, son of Late Ram Sundar Mahto,
resident of Village-Bhairi Kothi Ward No. 5, P.S.+Distt- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar Adv.

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-07-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Sitamarhi P.S. Case No. 630 of 2019 registered under sections 363, 366A and 34 of the Indian Penal Code.

As per allegation in the FIR, the minor sister of the informant was kidnapped by the four named accused persons including the petitioner herein. It is stated that on going to their house, they were found to be absconding.

It is submitted by learned counsel for the petitioner that the sister of the informant is a major being 19 years old and had gone out of her free will. While the date of occurrence is 1.11.2019, the FIR was registered on 5.11.2019 without there



being any explanation for the delay. The so called statement of the informant's sister given under section 164 Cr.P.C. is clearly tutored and in any case no role has been assigned to the petitioner. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Case diary had been called for in the instant case, which has been received.

Having heard learned counsel for the parties and on going through the materials on record, it transpires that in her statement under section 164 Cr.P.C., the minor sister of the informant has not only named the petitioner herein but also stated that petitioner along with others put a cloth on her face as a result of which she felt unconscious. Thus, the Court is not inclined to enlarge the petitioner on anticipatory bail. The application for anticipatory bail stands rejected.

(Partha Sarthy, J)

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