

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16084 of 2020

Arising Out of PS. Case No.-173 Year-2019 Thana- ATHMALGOLA District- Patna

Chhote Lal @ Chhotu Kumar S/o Suresh Singh Resident of Village- Ram
Nagar Diyara, P.S.- Athamalgola, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Maya Shankar Mishra
For the State	:	Mr.Md. Aslam Ansari
For the Informant	:	Mr.Gyanendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 16-07-2020 Heard learned counsel for the petitioner, learned
A.P.P. for the State as well as learned counsel for the informant
through video conferencing.

The petitioner apprehends his arrest in Athmalgola
P.S. Case No. 173 of 2019 (G.R. No. 1420 of 2019) registered
for the offence under Sections 366(A), 504, 506, 34 of the IPC.

The prosecution case, in brief, is that the informant
got information that co-accused Vicky Kumar took away his
minor daughter on his motorcycle and when mother of the
informant went to the house of co-accused Vicky Kumar to
search her grand daughter, she was abused by father, mother and
brother of co-accused Vicky Kumar. Petitioner is brother of co-
accused Vicky Kumar.

It is submitted on behalf of petitioner that petitioner is
innocent and has committed no offence. It is further submitted
that the victim, in her statement recorded under Section 164



Cr.P.C., has not named this petitioner (Annexure -2). It is further submitted that co-accused Kiran Devi and Suresh Singh, who are mother and father of petitioner, have already been granted anticipatory bail by this Court, vide order dated 18-02-2020 passed in Cr.Misc. No. 560 of 2020 (Annexure – 3). Petitioner has been made accused since he is brother of co-accused Vicky Kumar. Petitioner has no criminal antecedent.

Learned counsel for the informant has vehemently opposed the bail application and submits that this is a case of immoral trafficking of a girl.

However, considering the aforesaid facts and circumstances, the anticipatory bail application is allowed.

In the event of arrest or surrender within a period of six weeks from today, let the above-named petitioner be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Barh, Patna in connection with Athmalgola P.S. Case No. 173 of 2019, corresponding to G.R. No. 1420 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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