

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17758 of 2020

Arising Out of PS. Case No.-304 Year-2019 Thana- CHIRAIYA District- East Champaran

Vikash Kumar Yadav @ Vikash Kumar Son of Nawal Rai Resident of Village
- Pakridayal Tola Jagtiya, P.S.- Pakridayal, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Smt. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 13-10-2020 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Chiraiya (Sikarganj) P.S. Case No.304 of 2019, registered under sections 363, 366A and 34 of the Indian Penal Code.

As per allegation in the F.I.R., while the two minor daughters of the informant had gone to the market, it is stated that accused Pawan Kumar along with this petitioner forcibly took away his elder daughter aged 16 years on a motorcycle with the intent of marriage. The incident was narrated by the younger daughter who returned home.

Case diary called for in the case has been received.

It is submitted by learned counsel for the petitioner



that the allegation as levelled in the F.I.R. are absolutely false and concocted. In fact the elder daughter of the informant and co-accused Pawan Kumar were friends and had eloped together. It was only on the basis of suspicion that the name of the petitioner has been dragged in the case.

It is further submitted that witnesses whose statements have been recorded in course of investigation have not supported the allegations so far as the petitioner is concerned. The petitioner has no criminal antecedent.

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

Having heard learned counsel for the parties and on going through the materials available in the case diary it transpires that the petitioner along with co-accused are named in the F.I.R. of having kidnapped the minor daughter of the informant which was narrated to by the younger daughter who was an eye witness to the occurrence and she has supported her statement in course of investigation. The elder daughter of the informant has still not been recovered.

In the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on anticipatory bail and as such the application is rejected.

(Partha Sarthy, J)

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