

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17045 of 2020

Arising Out of PS. Case No.-264 Year-2019 Thana- LAKHISARAI District- Lakhisarai

RAHUL KUMAR S/o Late Mithu Ram Resident of Village- Pachna Road,
Bishari Stan, P.S.- Kabiya, Distt- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 01-12-2020 Heard the learned counsel for the petitioner
and the learned APP appearing for the State.

This is an application for grant of anticipatory
bail in connection with Lakhisarai (Kabaiya) P.S.
Case No. 264 of 2019 registered for the offence
punishable under Sections 366(A), 506 and 34 of
the Indian Penal Code.

The petitioner along with the other accused
persons are alleged to have kidnapped the minor
daughter of the informant by enticing her when
she had gone to learn computer near the Exchange
Office on 18.03.2019.

The learned counsel for petitioner has



submitted that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the petitioner and the victim girl have solemnized marriage and they are living peacefully as also the victim girl is a major, hence, she is free to act according to her wisdom.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also the case diary in question, this Court finds from the statement made by the victim girl under Section 164 Cr.P.C., before the learned Magistrate that the petitioner has been alleged to have forcibly kidnapped the victim girl and taken her to some unknown place where the petitioner had forcibly established physical relationship with her and then, the victim girl is stated to have been taken to Haridwar where he had forcibly solemnized marriage with her, hence, this Court



finds that the complicity of the petitioner is writ large on the records and prima facie, a case is definitely made out against the petitioner for the offences alleged, thus, I do not find any merit in the present petition, accordingly, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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