

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17857 of 2020

Arising Out of PS. Case No.-136 Year-2016 Thana- PATNA CITY CHOWK District- Patna

SINTU KUMAR S/O Harendra Ray Mohalla Nandgola, P.S. - Malsalami,
District – Patna. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Veena Kumari Jaiswal, Advocate

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-09-2020 Heard learned counsel for the petitioner and learned counsel for the State through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Chowk P.S. Case no. 136 of 2016 registered under section 366A of the Indian Penal Code.

As per allegation in the FIR, the petitioner is alleged to have enticed the minor daughter of the informant.

It is submitted by learned counsel for the petitioner that the daughter of the informant returned home and her statement was recorded under section 164 Cr.P.C. She has not alleged any overt act against the petitioner. It is submitted that earlier application for anticipatory bail of the petitioner was rejected vide order dated 12.6.2017 (Annexure 3). Subsequent thereto the misunderstanding between the parties had been cleared and a joint compromise petition had been filed in the learned Court below stating about amicable settlement of the dispute outside the Court and that the informant has no objection in grant of bail to the accused. As such it is prayed that the application for bail be allowed.



The application for bail is opposed by learned counsel for the State who submits that the minor daughter of the informant on her recovery, in her statement under section 164 Cr.P.C has categorically named this petitioner of having forcibly taken her for the purpose of marriage. It is further submitted that the application for anticipatory bail already having been rejected, the instant application is not maintainable.

Having heard learned counsel for the parties and taking into consideration the fact that earlier application for anticipatory bail of the petitioner was rejected more than three years back on 12.6.2017 vide Annexure 3, the Court is not inclined to enlarge the petitioner on anticipatory bail and as such his application for anticipatory bail is rejected.

The petitioner is directed to surrender in the Court below within three weeks from today.

Prakash/-

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(Partha Sarthy, J)

