

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23937 of 2020

Arising Out of PS. Case No.-278 Year-2019 Thana- RIGA District- Sitamarhi

1. SHANKAR SINGH @ UMASHANKAR SINGH S/o Late Durga Singh @ Late Durga Prasad Sing Resident of Village- Ijrahiya, P.S.- Riga, District- Sitamarhi.
2. Punam Devi W/o Shankar Singh @ Umashankar Singh Resident of Village- Ijrahiya, P.S.- Riga, District- Sitamarhi.
3. Guriya Kumari D/o Shankar Singh @ Umashankar Singh Resident of Village- Ijrahiya, P.S.- Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 25-11-2020 Heard the learned counsel for the petitioners and

Shri Amitesh Kumar, the learned APP appearing for the State.

The petitioners apprehend their arrest in connection with Riga P.S. Case No. 278 of 2019 for the offence punishable under Sections 363, 366 and 34 of the Indian Penal Code.

The case of the prosecution in brief is that the daughter of the informant is stated to have been kidnapped on 03.10.2019 by one Chhotu Kumar and the petitioners herein. It is alleged that when the informant came to know that his daughter has been kidnapped by the petitioners, he had gone to



their home, however, he was abused and threatened with dire consequences, whereafter the informant had returned back.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case and are having a clean antecedent. It is further submitted that the main accused is Chhotu Kumar with whom the petitioners have got nothing to do, hence, they are liable to be granted the privilege of anticipatory bail.

The learned APP appearing for the State has vehemently opposed the prayer for anticipatory bail, made by the petitioners.

I have heard the learned counsel for the parties and gone through the materials on record as also case diary in question from which it appears that the complicity of the petitioners in the alleged occurrence is writ large and, in fact, the investigation shows that accused Chhotu Kumar used to come to the house of the petitioners and on 03.10.2019, the petitioner no. 3 had called the daughter of the informant to the house of the petitioners and then the daughter of the informant was made to disappear and when the informant had gone to the house of the petitioners, he was reprimanded, abused and threatened. This Court further finds from the impugned order



that the victim girl is still traceless. Consequently, this Court finds that *prima facie* ample materials are available on record to show the complicity of the petitioners in the alleged kidnapping of the minor daughter of the informant, hence, I do not find any merit in the present case, thus the same stands dismissed.

(Mohit Kumar Shah, J)

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