

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20972 of 2020

Arising Out of PS. Case No.-5 Year-2020 Thana- KHODAWANDPUR District- Begusarai

Gourav Kumar @ Goutam @ Gourav Vishal S/O Shankar Mahto Resident Of
Village-Bajhi, P.S-Kudhabandpur, District-Begusarai ... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Vinay Kumar Mishra, Advocate

For the Opposite Party : Mr. Nirmal Kr.Sinha, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-12-2020 Heard learned counsel for the petitioner and the State
via Video Conferencing.

Petitioner apprehends arrest in a case registered for the offences punishable under Sections 366A/34 and other allied sections of the Indian Penal Code.

Prosecution's case in brief is that when daughter of the informant did not return home from the school, he started searching her. In the meantime, he knew that the petitioner had taken her away with him. Informant further alleges that when he went to the house of the petitioner, his father and his family members abused and assaulted the informant and kicked him out of the house.

Learned counsel for the petitioner submits that the FIR has been lodged on 4.1.2020 for the occurrence of 2.1.2020 without any explanation of delay. It is further submitted that the victim in her section 164 Cr.P.C. statement has not alleged any misbehavior by the petitioner. There was love affair between the petitioner and the victim.

Learned counsel for the State opposes the prayer for bail submitting that the victim, aged about 14 years, in her section 164 Cr.P.C. statement has alleged that when she was going to school at 9.30 am, suddenly petitioner arrived on road and took her somewhere on Scorpio vehicle on the false



statement that her father is calling.

Considering the gravity of the allegation levelled against the petitioner, his prayer for bail is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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