

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24268 of 2020

Arising Out of PS. Case No.-982 Year-2018 Thana- FORBESGANJ District- Araria

SONU KUMAR @ SONU KUMAR SOURAV @ SONU KUMAR YADAV
Son of Shambhu Yadav Resident of village - Barohua, P.S. - Bhargama,
District - Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 10-12-2020 Heard Mr. Ramakant Sharma, learned senior counsel

for the petitioner and Dr. Ajeet Kumar, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner apprehends arrest in connection with

Forbisganj P.S. Case No. 982 of 2018 registered for the offences

punishable under Sections 363 and 366A of the Indian Penal

Code, 1860.

The allegation as per the First Information Report is

that niece of the informant namely, Anjali Kumari, aged about

12 years, had gone to school and did not return and when search

was made by the informant he could not trace his niece.

Thereafter, when the informant called on the Mobile phone of



his niece, the call was being picked up by some unknown persons who did not give any satisfactory answer and the victim girl was recovered from Haryana on the basis of phone call made by her father.

Learned senior counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and there was love affairs between the victim girl and co-accused Gaurav and the victim girl had eloped with her lover Gaurav, but, the petitioner has falsely been implicated in this case. Learned counsel further submits that the occurrence had taken place on 9.12.2018, but the First Information Report has been lodged after delay of 15 days i.e. on 19.12.2018. Learned counsel also submits that the statement of victim girl under Section 164 Cr. P.C. was recorded after a considerable delay on 19.11.2019. Learned counsel referring to paragraph 76 of the case diary submits that tower location of the victim girl was found with the tower location of co-accused Gaurav at the same place.

On the other hand, learned counsel for the State referring to the statement of the victim girl recorded under Section 164 Cr. P.C. submits that the victim girl has categorically stated that the petitioner along with other co-



accused persons kidnapped her and taken her to Haryana where she was sold in favour of some other persons. Learned counsel further submits that it is a case of human trafficking.

Having heard learned counsel for the parties and taking into consideration the materials on record and the statement of victim girl recorded under Section 164 Cr. P.C., I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

(Anil Kumar Sinha, J)

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