

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28884 of 2020

Arising Out of PS. Case No.-657 Year-2019 Thana- DIGHA District- Patna

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1. VIKASH KUMAR S/o Sri Shivjee Rai Resident of Village-Gate No.90, Digha, P.S.-Digha, District-Patna.
 2. Vikki Kumar S/o Sri Shivjee Rai Resident of Village-Gate No.90, Digha, P.S.-Digha, District-Patna.
 3. Babita Devi W/o Sri Shivjee Rai Resident of Village-Gate No.90, Digha, P.S.-Digha, District-Patna.
 4. Shivjee Rai S/o Ram Swarup Rai Resident of Village-Gate No.90, Digha, P.S.-Digha, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.A.L. Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-12-2020 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State, through Video Conferencing.

This application, for grant of anticipatory bail, arises out of Digha Police Station Case No. 657 of 2019, disclosing offences under Sections 366/366-A/34 of the Indian Penal Code.

The prosecution case, as per the First Information Report, is that the minor daughter of the informant had left her house for going to the house of her maternal grand-mother, but did not return home till evening and the informant raised



suspicion that she was abducted by petitioner no. 1, Vikash Kumar, and when she went to the house of petitioner no. 1 to know the whereabouts of her daughter, the petitioner nos. 2, 3 and 4 told her that petitioner no. 1 has fled away with the daughter of the informant.

Learned Counsel for the petitioners submits that the petitioners have been made accused in this case merely on the basis of the suspicion and when the victim girl returned to her village, her statement was recorded under Section 164 of the Code of Criminal Procedure, 1973, in which she has not stated anything about the petitioners and has stated that she had gone to Rajgir along with her friend when she was scolded by her mother for the purpose of studying.

After having heard learned Counsel for the parties concerned and taking into consideration the materials on record, particularly the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure, 1973, I am inclined to grant privilege of anticipatory bail to the petitioners.

This application is, accordingly allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bonds of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Patna, in connection with Digha Police Station Case No. 657 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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