

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69142 of 2019

Arising Out of PS. Case No.-449 Year-2018 Thana- MUFFASIL District- West Champaran

Abhimanu Kumar @ Abhimanyu Kumar Son of Sri Madan Sah @ Dinesh Prasad Jaiswal @ Dinesh Prasad Resident of Village - Bus Stand, Bettiah, P.S.- Bettiah Town, District - West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

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

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

6 21-10-2020 Heard learned counsel for the petitioner as well as learned P.P. In-charge Mr. Ram Priya Sharan Singh appearing for the State through video conferencing.

Petitioner apprehends his arrest in connection with Bettiah Muffasil P.S. Case No. 449 of 2018 registered for the offence punishable under Section 366-A of the Indian Penal Code.

The informant lodged the present case after more than one month of the alleged occurrence. The informant raised his suspicion against the petitioner in kidnapping of his daughter. Admittedly, the victim has not been recovered as yet nor her statement under Section 164 of the Cr.P.C. has been recorded.

It is pertinent to note here that this court sought a



report from Superintendent of Police, West Champaran, Bettiah about the present status of the victim and in response to the aforesaid query, the Superintendent of Police, West Champaran, Bettiah vide his memo no. 103 dated 15.10.2020 reported at para 3 that victim is presently residing at 129 Saliya Nagar, Bostan, Surat.

The perusal of case diary as well as report of Superintendent of Police, West Champaran, Bettiah go to show that the police has taken this case in very casual manner and the concerned investigating officer did not take any effort to trace out and to record the statement of victim girl. Moreover, it is brought to my notice that prior to the alleged occurrence, victim had eloped from her house with one Md. Azad and Bettiah Muffasil P.S. Case No. 276 of 2018 was registered and in the aforesaid case, statement of victim under Section 164 of the Cr.P.C. was recorded. However, it is submitted that victim eloped again with the same person and the petitioner has falsely been implicated in this case.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within six weeks from the date of receipt of



this order to the court concerned, shall 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 Chief Judicial Magistrate, West Champaran at Bettiah in Bettiah Muffasil P.S. Case No. 449 of 2018, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

shahzad/-

U		T	
---	--	---	--

