

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81532 of 2019

Arising Out of PS. Case No.-216 Year-2019 Thana- JANDAHA District- Vaishali

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VIKAS KUMAR @ VICKY Son of Manoj Kumar Singh Resident of Village
- Rahmatpur, P.S.- Mahnar, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 14-02-2020 Learned counsel for the petitioner has filed the
supplementary affidavit.

Let it be kept on record.

Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 363, 366A
of the Indian Penal Code.

According to FIR, the informant has alleged that on
31.08.2019 in the night she sleeping. When she heard sound of
vehicle at her Darwaja, she came out and her daughter Madhu
Kumari aged about 14 years was also with her. Meanwhile, her
distant relatives Vikash Kumar @ Vicky, Jagtarni Devi and



Manoj Kumar Singh took her daughter Madhu Kumari by the vehicle for marriage purpose and fled away. The informant and her family members reached her, but she did not find out anywhere.

It has been submitted on behalf of the petitioner that the petitioner is innocent and has been falsely implicated in the present case. He submits that there is general and omnibus allegation against the petitioner. He submits that victim namely Madhu Kumari herself returned to her home and her statement under Section 164 of the Code of Criminal Procedure has been recorded by the learned Magistrate on 01.02.2020 in which she has stated that she went to her Nanghar and from her Nanighar she was in Bangalore with her cousin brother and sister-in-law and now she wants to live with her mother. A supplementary affidavit been filed by the petitioner in which statement under Section 164 Cr. P.C. of the victim girl has been enclosed at Annexure-3.

In the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand)



with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Hajipur, Vaishali in connection with Jandaha Police Station Case No. 216 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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