

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2350 of 2020

Arising Out of PS. Case No.-253 Year-2018 Thana- BHARGAMA District- Araria

Vikash Kumar @ Sawan Son of Premchand Sharma Resident of Village-
Sonapur Paikpar, P.S-Bhargama, District-Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 26-10-2021 Heard learned counsel for the petitioner as well as
learned APP for the State.

The petitioner apprehends his arrest for the offences
alleged under Sections 366A and 34 IPC, registered in connection
with Bhargama P.S. Case No. 253 of 2018.

The informant Parmanand Chaupal lodged a FIR alleging
therein that his daughter Nisha Kumari aged 15 years is student of
class-X of Rampur School. On 5.10.2018 she went to school for
examination but did not return. On enquiry the informant came to
know that she did not appear in the examination and in course of
search the informant came to know that the present petitioner along
with one unknown boy kidnapped the daughter of the informant with
intent to forcibly marriage.

Learned counsel for the petitioner has submitted that this



case has been lodged only on the basis of suspicion and except suspicion there is nothing in the entire case diary. He has further submitted that the girl was in love and affection with some other person and she has eloped with that person.

Per contra, learned APP for the State has opposed the prayer for anticipatory bail of the petitioner. It is submitted by the learned APP for the State that the petitioner was seen talking with the daughter of the informant. He has further submitted that anticipatory bail petition of co-accused Ashok Kumar @ Ashok Sharma has been rejected by a learned coordinate Bench of this Court in Cr. Misc No. 40954 of 2019 vide order dated 20.9.2019.

From perusal of the case diary it transpires that the victim was traceless when the last entry of the case diary had been done i.e. dated 5.12.2019.

Considering the fact that there is direct allegation against the petitioner and also the fact that the victim is still traceless and the anticipatory bail petition of co-accused on similar ground was rejected by a learned coordinate Bench of this Court, I am not inclined to grant anticipatory bail to this petitioner.

Accordingly, the anticipatory bail petition is rejected.

(Nawneet Kumar Pandey , J)

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