

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32274 of 2020

Arising Out of PS. Case No.-692 Year-2019 Thana- SUPAUL District- Supaul

RAJA @ RITIK RAJ Son of Md. Ibrahim Resident of Village - Bara Tola,
Kariho, Ward No. 17, P.S. and District – Supaul.

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Nafisuzzoha, Advocate.
For the State : Mr. Rabindra Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

6 26-07-2021 Heard learned counsel for the petitioner and the
learned A.P.P. for the State, through Video Conferencing.

The petitioner apprehends his arrest in connection
with Supaul P.S. Case No.692 of 2019 registered under Sections
365 and 366/34 of the Indian Penal Code, pending in the court
of the Chief Judicial Magistrate, Supaul.

The accusation is that the victim Sabila Khatoon, the
daughter-in-law of the informant Md. Khalil, moved on
19.10.2019 for withdrawing the cash Rs.20000/- from A.D.B.
Bank, Supaul, but she did not return till late hour. Thereafter,
the informant came in suspicion. In the meantime, the
informant received the call of his son Md. Manjoor, who used to
reside at Punjab, on his mobile, who told him that his wife



Sabila Khatoon (victim) has informed him that his villager Raja alias Ritik Raj (petitioner) along with 2-3 unknown kidnapped her boarding on Bolero vehicle. Anyhow, she finding herself informed him on phone. Thereafter, the informant started to search his daughter-in-law but she could not be traced out.

Learned counsel appearing on behalf of the petitioner submits that the statement of the victim under Section 164 of the Code of Criminal Procedure was recorded on 16.11.2019, in which while she has stated that after withdrawing the cash Rs.20000/- from the Bank, she was going to the hospital but, in the way, she was kidnapped by Ritik Raj (petitioner) and, at that time, Ibrahim, Jameela and Mahboob were also present and, thereafter, she was taken to Delhi, where she was kept confined in a room for 20-25 days and was raped but when she found herself alone, she moved from there and went to the Station and made call to her husband but it would appear from paragraph-80 of the case diary that in course of investigation, when the Investigating Officer went at the Bank and made query about the withdrawal of the money by the victim, then he was reported that on that date, no money was withdrawn by the victim. Further submission is that the informant in his restatement and the witnesses Md. Illiyas, Ramdeo Mandal and Kasida Khatoon,



in their statements, as detailed in paragraphs-9, 10 and 18 respectively of the case diary, in course of investigation, have stated that earlier also, the victim was taken away by this petitioner. In fact, the petitioner, who is aged about 25 years, was accompanied by the victim, who is aged about 35 years.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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