

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2884 of 2021

Arising Out of PS. Case No.-68 Year-2019 Thana- DHURAIYA District- Banka

SANGAM KUMAR S/o Bharat Singh @ Bharat Lal Singh R/o Village-
Naraun, P.S.- Shambhuganj, District- Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 27-07-2021 Heard Mr. Ajay Mukherjee, learned Advocate
for the petitioner and Mr. Mr. Md. Aslam Ansari, learned
APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Dhoraiya P.S. Case No. 68 of
2019 dated 07.04.2019 instituted for the offences under
Sections 366(A) of the Indian Penal Code.

The petitioner has not been named in the FIR.
The accusation in the FIR is that the minor daughter of
the informant was abducted.

The victim girl is said to have appeared before
the police and has also made her statement under
Section 164 Cr.P.C. that she had gone with the
petitioner of her own volition. No coercion or pressure
was put upon her for this. However, she has disclosed



her age in such statement to be 14 years.

There is nothing on record to dispute that the victim is a minor.

For the aforesaid reason, namely, the minority of the victim girl, the petitioner does not deserve anticipatory bail even though the girl had gone along with him of her own volition.

Accordingly, the prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, his application shall be considered on its own merits without being prejudiced by the fact that the present petition on his behalf has not been entertained.

(Ashutosh Kumar, J)

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