

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14619 of 2021

Arising Out of PS. Case No.-527 Year-2020 Thana- BEGUSARAI TOWN District- Begusarai

1. UPENDRA ROY Son of Late Sita Ram Ray Resident of Village - Phulwaria, (Bishhar Asthan), Ward No.- 10, P.S.- Phulwaria, District - Begusarai.
2. Deepak Kumar Son of Upendra Roy Resident of Village - Phulwaria, (Bishhar Asthan), Ward No.- 10, P.S.- Phulwaria, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate.

For the Opposite Party/s : Mr. Md. Aarif, APP.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-01-2022

Heard the counsel for the parties.

The petitioners who are father and son amongst themselves seek bail in anticipation of their arrest in connection with Town P.S. Case No. 527 of 2020 dated 05.10.2020 instituted for the offence under Section 366A of the Indian Penal Code.

The accusation against the petitioners is of having abducted the minor daughter of the informant. The victim has been recovered from the house of the petitioners.

Learned counsel for the petitioners submitted that in fact the petitioners only have brought the victim to the police station a day after the lodging of the F.I.R. Learned counsel for



the petitioners has further submitted that the victim has refused to get herself medically examined. However, in her 164 Cr.P.C. statement, the victim has supported the allegation of kidnapping and forcible marriage with the brother of one of the petitioners.

Regard being had to the age of the victim and nature of accusation against the petitioners, I am not inclined to grant anticipatory bail to them.

The prayer for anticipatory bail to the petitioners is, accordingly, rejected.

However, if the petitioners surrender before the Court below and seek bail, the court below shall consider the case on its own merits, without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

The application stands dismissed.

(Ashutosh Kumar, J)

mantreshwar/-

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

