

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7920 of 2022

Arising Out of PS. Case No.-405 Year-2019 Thana- WAJIRGANJ District- Gaya

BIPIN KUMAR SAW @ BIPIN KUMAR Son of Late Bahadur Saw Resident
of Village- Ichua, P.S.- Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Nivedita Nirvikar, Sr. Adv
		Mr. Subodh Kumar Barnwal
For the Opposite Party/s	:	Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-09-2022 Heard the parties.

The petitioner apprehend his arrest in a case registered for the offence punishable under sections 336(a) of the Indian Penal Code.

Allegedly, on 03.11.2019, the daughter of the informant went to market around 10 a.m. When she did not returned till late evening, the informant along with her family members started looking for her. Later on, they got to know that the petitioner has abducted her.

It is submitted by learned senior counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to



dirty village politics. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The daughter of the informant got married with one Sajan singh in the year 2018 and is carrying out her marital life with him in his village Barbara. It is stated that she was never happy with her marriage and forcefully managed fleeing away. The statement of the victim was recorded under section 164 Cr.P.C., and on perusal of the same it appears that the victim girl is a major. She further submits that the occurrence took place on 03.11.2019 but the F.I.R. was lodged on 14.11.2019 i.e. after a delay of 11 days. No independent witness has supported the prosecution case, which is also evident from the case diary. Petitioner has no criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the victim girl has supported the prosecution case in her statement recorded under section 164 Cr.P.C.

Having regard to the facts and circumstances of the case, since the victim has supported the prosecution case, I am not inclined to grant bail to the petitioner. The prayer for grant of



anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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