

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57289 of 2021

Arising Out of PS. Case No.-120 Year-2021 Thana- SHEOHAR District- Sheohar

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DIPU KUMAR GUPTA @ DIPU KUMAR Son of Rajaram Sah Resident of
Village- Parsauni Baij, P.S.- Piprahi, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ravindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 366/34 of
the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

The informant alleges that his daughter, aged about 18
years, had gone to Dekuli but when she did not return a search
was made and the informant came to know that the petitioner
along with other accused persons had abducted her either for the
purposes of marriage or for some immoral work.

Learned counsel for the petitioner submits that



petitioner and the victim were in love and she on her own volition left with the petitioner. The victim is a minor and the date of occurrence is 11.03.2021 and the FIR came to be instituted on 18.03.2021 i.e. after a delay of seven days without any plausible explanation. The victim after return got her statement recorded under Section 164 Cr.P.C. wherein she has stated that the petitioner took her away and committed wrong with her. Learned counsel next submits that the said statement was made under parental pressure as from perusal of para 72 of the case diary, it would manifest that the victim was not ready to get herself medically examined as she was aware that nothing would come in the medical examination and her statement under Section 164 Cr.P.C. would be discredited, hence, it appears that her statement under Section 164 Cr.P.C. was recorded under parental pressure, further submits that victim now has married.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sheohar P.S. Case No. 120 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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