

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63451 of 2021

Arising Out of PS. Case No.-43 Year-2021 Thana- TETERHAT District- Lakhisarai

VICKY KUMAR Son of Yaddu Ram @ Jaddu Ram Resident of village -
Mahisona, P.s.- Tetarhat, Distt.- Lakhisarai. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan
For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Tetarhat P.S. Case no. 43 of 2021 instituted for the offence punishable under Section 366(A)/34 of the Indian Penal Code.

As per allegation in the FIR, on 28.4.2021, when the informant woke up at morning he found his minor daughter, aged about 15 years, missing. During investigation he came to know that his daughter was in talking term with the petitioner. Informant contacted the petitioner on mobile then he received the call and respond that she will never return to him. Informant visited to his house, where his mother and father also abused and insulted him.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. There is love affair between the petitioner and the daughter of the informant and both were in talking term since last one year and out of



her own sweet will, she has left her parent home and went with the petitioner. Doctor has assessed the age of the victim girl between 17-18 years.

Learned APP appearing for the State has opposed the prayer of bail and submitted that statement of the victim girl was got recorded under Section 164 Cr.P.C. wherein she has specifically stated that petitioner has entered into her house and made her unconscious and taken her away to Bangalore by train.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of kidnapping against the petitioner and she victim has supported the prosecution case in her statement made under Section 164 Cr.P.C., I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

However, if the petitioner surrenders and prays for regular bail, the same may be considered by the court below on its own merit without being prejudiced by this order of rejection.

(Sunil Kumar Panwar, J)

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