

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68605 of 2021

Arising Out of PS. Case No.-270 Year-2019 Thana- LAHERIMUHALLA District- Nalanda

DIPAK KUMAR @ DIPAK SON OF DEVNANDAN YADAV R/O
VILLAGE- BANDOLI KHURD, P.S.- KAWOKOLE, DIST.- NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-05-2022 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 363 & 366A of the Indian Penal Code.

Allegation as per FIR of informant Himanshu Kumar is that he used to live on rent in the house of one Mithilesh Kumar of Mohalla Bari Pahari. On 14.07.2019 at about 10.00 am while the daughter of the informant namely Himani Bharti was alone, all the accused persons came and kidnapped the daughter of the informant after inducing her along with golden chain and cash Rs. 8,80,000/- which were kept in the house.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR, rather his name transpired



during investigation. The victim is a major lady and she has purposely suppressed her age and this is the reason she did not agree for her medical test and she did not get her age determined by the doctor. It further submits that the victim girl Himani Bharti gave statement u/s 164 of the Cr.P.C. that she went with Ritik Roshan on his request at Kiul Station from where she was brought Kolkata where she stayed at Ritik's Bhabhi house, thereafter, Ritik brought her at Asansol and kept at Fua house, from where her father has taken away and in last portion she took the name of petitioner in her kidnapping. There is no allegation of any overact against the petitioner and he has got no criminal antecedent.

Learned APP for the State opposes the prayer for bail petition.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, 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 Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Laheri P. S. Case No. 270 of



2019, subject to the conditions as laid down under Section 438
(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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