

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17779 of 2023

Arising Out of PS. Case No.-442 Year-2007 Thana- NAGAR District- Vaishali

SUNIL RAI @ BAHARAN RAI @ SUNIL S/O SRI GOPALJI YADAV @
GOPAL RAI Resident of Village- Dharmbagi, P.S.- Avatar Nagar, District-
Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh, Advocate

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-05-2023 Heard Mrs. Bela Singh, learned counsel for the

petitioner and Mr. Damodar Prasad Tiwari, Learned APP for the

State.

The petitioner apprehends his arrest in connection
with Vaishali Nagar P.S. Case No.442 of 2007 instituted under
Sections 366,364,34 of the Indian Penal Code lodged on
13.08.2007 by the informant Ram Ishwar Sahni.

As per the prosecution story, Ram Ishwar Sahni
initially filed a complaint case no. 2045/2007 in the Court of
Chief Judicial Magistrate, Vaishali at Hajipur alleging inter alia
that her daughter-in-law namely Lalita Devi went to her parents'
house with her three children. After 15 days when she did not
return to her in-laws house and he saw younger grandson was
found weeping at Saraiya chowk, Muzaffarpur. On information,



he went there and brought his grandson who told that his uncle Uday and Brij forcefully took away his mother, brother and sister to Delhi by train. Brother Raja Sahni is working in a hotel under their pressure and mother is also tortured by both uncle. His younger sister aged 1 ½ years was killed by them. It was claimed that both accused persons kidnapped her daughter-in-law either for the purpose of marriage or for illegal work. Subsequently, it gave rise to Vaishali P.S. Case No.442 of 2007..

It is ironical that in a matter in which FIR was lodged in 2007 vide Vaishali Nagar P.S. Case No. 442 of 2007 under Section 366,364,34 of the Indian Penal Code the petitioner has chosen to move before this Court after 16 years and also two years after his anticipatory bail application was rejected by the learned Sessions Judge, Vaishali on 04.12.2021. Certainly this is not a fit case for anticipatory bail.

Accordingly, the anticipatory bail application stands rejected.

Let a copy be sent to the Superintendent of Police, Vaishali, Hajipur for his perusal and needful action.

(Rajiv Roy, J)

Prakash Narayan /-
Sunil

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