

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30533 of 2023

Arising Out of PS. Case No.-385 Year-2022 Thana- RIGA District- Sitamarhi

VIKKY KUMAR PASWAN son of RamChhabila Paswan Village- Bhavdepur
PS- Riga Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 27-07-2023 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 366(A) and 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent.
4. The informant alleges that his minor daughter aged about 13 years was kidnapped by the petitioner.
5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that the victim has returned and her statement was recorded under Section 164 of the Cr.P.C. wherein she has not supported the case of the prosecution. It is further submitted that there is a delay of 4 days in instituting the present FIR, as



the date of occurrence is 01.09.2022 and the FIR was instituted on 05.09.2022 which further casts an aspersion on the case of the prosecution. It is further submitted that no doubt allegation is of kidnapping a minor, but when the minor herself is not supporting the case of the prosecution, would it be prudent to send the petitioner to jail.

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

7. 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 trial court 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 trial court where the case is pending/successor court in connection with Riga P.S. Case No. 385 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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