

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46022 of 2022

Arising Out of PS. Case No.-176 Year-2022 Thana- KADAMKUAN District- Patna

SUMIT @ SUMIT KUMAR S/O RANJIT MEHTA Resident of Mohalla-
Saidpur, Khatalgali, P.S.- Kdamkuan, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Gauri Shankar Gupta,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-01-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Kadamkuan P.S. Case No. 176 of 2022 for the offence
registered under Section 366(A) of the Indian Penal Code.

As per the prosecution story, the informant alleged
that his minor daughter has disappeared and the petitioner may
be the reason behind her disappearance.

Learned counsel for the petitioner submits that
although as a teenager indeed they were having love affairs,
they had gone to Delhi on a visit and upon knowledge of the
FIR, they immediately returned. Further, by way of paragraph
11 of the present petition, it has been narrated as follows:

*“That statement of Sharda Thakur was
recorded by police under Section 161 Cr.P.C. in*



which she has not stated anything against the petitioner rather in love-affair both of them went to Delhi for visiting purpose only and having come to know about institution of this case, she willfully came to the concerned P.S. and narrated every real fact and now she is with her parents.”

It is his categorical statement that nothing has been attributed against the petitioner by the victim girl before the police and further no statement under Section 164 of the Cr.P.C has been recorded. It is his last submission that he is a student, only 18 years of age and has no criminal antecedent.

Learned APP for the State, on the other hand, opposes the prayer for bail stating that there was an allegation of disappearance of minor girl.

Taking into account the age of the petitioner, he has no criminal antecedent and as narrated in paragraph 11 of the petition, the girl has not made any allegation against the boy, this Court is inclined to grant him privilege of anticipatory bail.

In the aforesaid circumstances, the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with



two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-X, Patna in connection with Kadamkuan P.S. Case No. 176 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha/-

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