

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40284 of 2024

Arising Out of PS. Case No.-105 Year-2024 Thana- SIMRI District- Buxar

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Dipak Choudhary @ Vikesh Kumar Son of Ram Kripal Choudhary @ Dhuran Choudhary R/O VILL.- CHANDPALI BINDERA, NAGWAON, P.S.- SIMARI, DIST.- BUXAR

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Dr. Kamal Deo Sharma, Advocate
For the State : Mr. Pramod Kr. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 14-08-2024 Heard Dr. Kamal Deo Sharma, learned counsel appearing on behalf of petitioner and Mr. Pramod Kumar Pandey, learned APP appearing for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 366A of the Indian Penal Code.

3. As per prosecution case, this petitioner kidnapped the minor daughter of informant and the victim is still traceless.

4. It is submitted by learned counsel appearing on behalf of the petitioner that from bare perusal of F.I.R. it is apparent that the same has been lodged after delay of 7 days, without any plausible explanation for the same. As a matter of fact, mother of the petitioner has filed a complaint case bearing



Complaint Case No. 315 of 2024 for the occurrence of assault on 14.03.2024 against the informant and others and only with a view to save their skin from the aforesaid case, this false and concocted case has been lodged. It is further submitted that the victim herself disappears every now and then from her house and previously the Mumbai Police recovered her and handed her over to the informant. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. and there is specific allegation that he kidnapped the minor daughter of informant. Moreover, the victim is still traceless.

6. Considering the aforesaid facts and circumstances, nature of accusation and the fact that victim is still traceless, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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