

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64926 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- BISHUNPUR District- Darbhanga

Surendra Kumar @ Surendra Thakur Son of Chhote Lal Thakur @ Chhote Thakur R/o Village- Udhopatti, (Baghla), P.S.- Bishanpur, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 21-10-2024 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Bishanpur PS case no. 26 of 2024, disclosing offences punishable under Section 366/34 of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that on 13.03.2024 in the night, the petitioner along with other accused persons kidnapped the 14 years old daughter of informant for the purposes of human trafficking.
4. Learned Counsel for the petitioner submits that the petitioner is the co-villager and has falsely been implicated in this case due to love relationship between the petitioner, who is



aged about 20 years old and the informant's daughter. Learned counsel further submits that the victim girl has returned back to her home on her own will and in her statement recorded under Section 161 Cr.P.C. before the Police on 02.04.2024, she has stated that she had left her house and had gone to Delhi without informing anybody and when she came to know that her parents are worried about her, she has returned back on 02.04.2024. Subsequently, on 03.04.2024, statement of the victim girl was recorded under Section 164 Cr.P.C., in which, she has given a contradictory statement that she was abducted/ kidnapped by the petitioner, however she has stated that she was not tortured and petitioner did not misbehave with her, as such, it is the submission of the learned counsel for the petitioner that the victim girl has given her statement under Section 164 Cr.P.C. under the influence of her family members.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the statement of the victim girl recorded under Section 161 Cr.P.C as well as under Section 164 Cr.P.C., which are contradictory, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.



7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Darbhanga in connection with Bishanpur PS case no. 26 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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