

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64390 of 2023

Arising Out of PS. Case No.-98 Year-2023 Thana- DALSINGHSARAI District- Samastipur

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Deepak Kumar, Son of Ram Naresh Rai R/o vill - Sijauli, Ward no. 06, P.S. -
Dalsinghsarai, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

4 27-02-2024 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Dalsinghsarai P.S. Case No.98 of 2023, F.I.R. dated 21.02.2023 registered for the offence punishable under Sections 366A, 504/34 of the Indian Penal Code.

3. Prosecution story in is brief is that. on 21.02.2023 daughter of the informant who was cleaning the utensils at the door of the house. Meanwhile, the informant saw Ghanshyam Kumar coming to her door, her daughter is missing since the time of washing the utensils then the informant started searching



her out but she could not find her. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent. He has falsely been implicated in the present case merely on the ground that the petitioner is brother of the co-accused person. He further submits that no material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

5. Learned APP for the State vehemently opposed the prayer for anticipatory bail of the petitioner on the basis of the material available in the case diary and stating that the victim has fully supported the prosecution and statement of the victim recorded under Sections 164 of the Cr.P.C., in which the she has fully supported the case of the prosecution and categorically stated that the petitioner was also involved in present crime in question and petitioner and other co-accused persons had abducted the victim for performing the marriage with the co-accused person.

6. Considering the aforesaid facts as well as specific allegation supported by the victim in her statement under Section 164 of the Cr.P.C., I am not inclined to giving privilege of anticipatory bail to the petitioner in connection with Dalsinghsarai P.S. Case No.98 of 2023 pending in the court of



learned Additional Chief Judicial Magistrate, Ist, Samastipur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Prakash Narayan

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