

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72418 of 2024

Arising Out of PS. Case No.-330 Year-2023 Thana- BAHERI District- Darbhanga

Rishi Kumar S/O Kameshwar Lal Dev Resident of Village- Ujjaina, Police
Station- Baheri, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-11-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Baheri P.S. Case No. 330 of 2023 dated 02.10.2023 registered under Sections 366 (A) / 34 of the I.P.C.

3. As per the First Information Report the petitioner along with other accused persons kidnapped the minor daughter of the informant on 27.08.2023 and also demanded ransom of Rs. 200000/-.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. Learned counsel next submits that no such occurrence has taken place and the F.I.R. has been lodged after delay of thirty five days on 02.10.2023.



The statement of the victim girl was recorded under Section 161 Cr.P.C. in which she has stated that on 27.08.2023 the victim was kidnapped by the petitioner and others but at Darbhanga Railway Station local people assaulted the accused persons and informed the parents of the informant and subsequently she was handed over to them. The victim girl was thereafter went to maternal grandmother's house. In the first information report lodged on 02.10.2023 the informant has not disclosed that the victim girl has been residing in the house of her maternal grandmother. There is contradiction in the statement of the victim girl recorded under Section 161 Cr.P.C. and the statement made in the first information report.

5. Regard being had to the submission made by the parties, taking into consideration the statement of the victim girl recorded under Section 161 Cr.P.C. and the fact that the petitioner is having no criminal antecedent, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Additional



Chief Judicial Magistrate- VIIth, Darbhanga in connection with
Baheri P.S. Case No. 330 of 2023 subject to the condition as laid
down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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