

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73134 of 2024

Arising Out of PS. Case No.-218 Year-2015 Thana- SONEPUR District- Saran

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Dilip Kumar Rai @ Dilip Kumar Son of Meghnath Ray, Grandson of Pulish Rai Resident of Village - Samanchak, P.S. - Dariyapur, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 12-11-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Sonapur P.S. Case no. 218 of 2015 registered for the offence punishable under sections 366A and 34 of the Indian Penal Code.

3. As per allegation in the F.I.R, the informant states that his 14-year-old minor daughter who went to ease herself, did not return and was not to be found inspite of search. On inquiry, it transpired that she had been kidnapped by the petitioner and one another.

4. Learned counsel for the petitioner submits that the petitioner who is a resident of another place has been falsely



implicated in the case. He neither knew about the occurrence nor the police visited his place. The cause of false implication is previous enmity between the maternal uncle of the petitioner and the informant as a result of which the petitioner has also been implicated. The petitioner has no criminal antecedent and undertakes to cooperate in the investigation/trial. It is further submitted that a compromise has been arrived at between the parties which would be evident from Annexure-2. Further coaccused Sudhir Rai has been enlarged on anticipatory bail vide order dated 1.12.2017 (Annexure-3) passed in Cr. Misc. no.55947 of 2017.

5. The application for bail is opposed by learned APP for the State who submits that so far as grant of bail to Sudhir Rai is concerned, his name was not taken by the victim in her statement under section 164 Cr.P.C.

6. Having heard learned counsel for the parties and taking into consideration the direct allegation against the petitioner that he along with one another kidnapped the minor daughter of the informant together with the statement of the victim on her return recorded under section 164 Cr.P.C. wherein she has supported the prosecution case as against this petitioner, the Court is not inclined to enlarge the petitioner on



anticipatory bail and the application is rejected.

7. The petitioner is directed to surrender in the learned Court below within a period of of four weeks.

8. In case the petitioner so surrenders and prays for regular bail the same shall be considered without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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