

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64098 of 2024

Arising Out of PS. Case No.-205 Year-2023 Thana- LAXMIPUR District- Jamui

Chhotu Kumar @ Chhotu Son of Nageshwar yadav R/o Village - Karra, P.S -
Laxmipur, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indradeo Yadav

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 15-02-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Laxmipur P.S. Case no. 205 of 2023 instituted for the offence under Sections 366(a), 363/34 of the Indian Penal Code.

3. Thrust of accusation is that on the alleged date of occurrence informant's minor daughter went out of the house but did not return. Even after hectic/intense search, she could not be traced out.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and committed no offence. Petitioner is not named in the F.I.R. and his name sprang up in the case due to village politics. His mobile number has been falsely mentioned in the F.I.R. It is further submitted that the victim girl was recovered from Gopalganj. It is further submitted that victim has been married with another person in the state of Jharkhand and leading a happy conjugal life. The case has been compromised between the parties and a petition in this regard has been filed before the learned Court below (compromised petition between both the parties is annexed as P4). A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. Learned APP appearing for the state has vehemently opposed the prayer of bail and submitted that from perusal of para 28 of the case diary, it is evident that victim girl has supported the allegation levelled against the petitioner. In her statement, recorded under section 164 of Cr.P.C., she has specifically and categorically supported the allegation levelled against the petitioner and she has deposed that on 05.05.2023, the petitioner has duped and took her



from her house, established physical relation and sold her to Gopalganj.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for anticipatory bail stands rejected.

7. The petitioner is directed to surrender before learned court below and pray for regular bail, which shall be considered by the court below on its own merit, without being prejudiced by the order of this Court.

(S. B. Pd. Singh, J)

Nirajkrs/-

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