

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29580 of 2014

Arising Out of PS.Case No. -360 Year- 2014 Thana -MUZAFFARPUR CITY District-
MUZAFFARPUR

=====

Vicky Kumar, son of Arun Kumar, Resident of Mohalla -Gola Bandh Road,
Lichi Bagan, P.S.- Town District - Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 09-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner, apprehending his arrest in connection
with Town P.S. Case No. 360 of 2014 registered for the offences
punishable under Sections 364, 366 and 120B of the Indian Penal
Code, seeks the privilege of pre-arrest bail.

Mother of the informant lodged the complaint case
giving rise to the present case wherein allegation has been levelled
for kidnapping of his son Gopal Kumar. Today, the learned
counsel for the petitioner filed certified copy of the statement
recorded under Section 164 Cr.P.C. of Gopal Kumar, the victim
boy, wherein he has stated that he was not kidnapped and he had

gone to Delhi out of his own will and when he came to know about this case, he returned and is giving his statement. On these grounds, the learned counsel for the petitioner seeks the privilege of pre-arrest bail to which the learned A.P.P. submits that if it is so, then the petitioner must surrender and seek regular bail and if Gopal Kumar has given his statement under Section 164 Cr.P.C. then in that case, he may be released on regular bail.

In the facts and circumstances as stated above, the petitioner is directed to surrender in the court below and seek regular bail and the court below after considering the statement of Gopal Kumar recorded under Section 164 Cr.P.C. shall consider the prayer for regular bail accordingly on the same day and if the victim is stating that he was not kidnapped, no case is made out.

Accordingly, this Anticipatory Bail Application is hereby disposed of.

Let the certified copy of statement of the victim recorded under Section 164 Cr.P.C. be kept on record.

(Jitendra Mohan Sharma, J.)

Vats/-

U		T	
---	--	---	--