

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29713 of 2014

Arising Out of PS.Case No. -28 Year- 2013 Thana -EKCHARI District- BHAGALPUR

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1. Raj Kishore Mandal Son of Bhojal Mandal Resident of Village - Bari Mohanpur, P.S. - Ekchari (Pirpainti), District - Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra

For the Opposite Party/s : Mr. Pushpa Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 16-01-2015 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner apprehends his arrest in connection with Ekchari P.S. Case No. 28 of 2013 registered for the offence punishable under Section 366 A of the Indian Penal Code.

Allegedly, the petitioner with aid and assistance of other co-accused kidnapped 14 years minor daughter of the informant with intention to marry with her.

It is submitted on behalf of the petitioner that the petitioner and the victim girl have arranged marriage in a temple situated at Madhepura and both have sworn affidavit in which the victim has disclosed her age to be 19 years, and as such, the case being of love affairs the petitioner deserves sympathetic

consideration to which the learned APP opposes by submitting that the victim girl has not been recovered who is still traceless and she is minor.

In the facts and circumstances stated above and considering the allegation attributed to the petitioner that he has kidnapped the minor daughter of the informant who is still traceless, this Court is not persuaded to grant the privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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