

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30470 of 2014

Arising Out of PS.Case No. -129 Year- 2011 Thana -DURAULI District- SIWAN

Srikant Yadav, Son of Brijkishore Yadav, resident of village- Bona, P.S.-
Darauli, District- Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Adv.

For the Opposite Party/s : Mr. Navin Kumar Pandey, A.P.P.

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

2 22-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner, apprehending his arrest in connection
with Darauli P.S. Case No. 129 of 2011 registered for the offences
punishable under Sections 366 A and 376/34 of the Indian Penal
Code, seeks the privilege of pre-arrest bail.

Allegedly, the daughter of the informant was kidnapped
by co-accused Sonu Sharma with aid and assistance of the
petitioner and Vinit Singh. The victim girl has been recovered and
she has stated in her statement recorded under Section 164 Cr.
P.C. that she was kidnapped by Sonu Sharma in presence of
Srikant Yadav and Vinit Singh and all the said three brought her at
a place and kept her in an old house, where all the three persons

tried to outrage her modesty, to which she forbade them and then she was boarded in the train and was dropped down at Bardhwan Station and from there, she went to her father. Sonu Sharma has been granted bail by the court below itself.

Submission is that the petitioner, being the friend of Sonu has been implicated in this case. No offence under Sections 366A/34 and 376 of the Indian Penal Code is made out. The informant has filed petition wherein she has stated that her daughter is major. The Doctor has also found her age between 18 to 19 years.

Considering the submissions urged at the bar and noticing that the petitioner and co-accused took away her at a place where she was kept in old house and tried to commit rape with her and as such, it is not a fit case for pre-arrest bail, the prayer for pre-arrest bail of the petitioner stands rejected.

(Jitendra Mohan Sharma, J.)

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