

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37641 of 2014

Arising Out of PS.Case No. -194 Year- 2012 Thana -GORAUL District- VAISHALI(HAJIPUR)

Jyoti Kumar son of Harihar Rai, resident of Mahamadpur, Pogha, P.S.
Goraul, District Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh

For the Opposite Party/s : Mr. Ajay Kumar No.1(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 19-03-2015

Heard both sides.

The petitioner apprehends arrest in a case under sections 363, 366 and other allied Sections of the Indian Penal Code.

Informant Sandesh Rai named four persons for kidnapping his wife with the minor son.

It is submitted that the petitioner is not named in the F.I.R. The victim made her statement under section 164 Cr.P.C. in which she disclosed that the petitioner stopped her and informed the police. The petitioner did not kidnap the victim rather when the victim was fleeing away from her house, the petitioner handed her to the police.

On perusal of the record, it appears that the victim alleged that the petitioner and Rajesh, son of the petitioner took

the victim to Hajipur and threatened her to kill her minor son if she would raise any alarm. Some how the victim came to Muzaffarpur and from there to Goraul. The informant caught her and thereafter he took her to the police.

Considering the facts aforesaid, I am not inclined to grant anticipatory bail to the petitioner in connection with Goraul P.S. case No. 194/2012 pending in the court of the Chief Judicial Magistrate, Vaishali at Hajipur. Accordingly, it is rejected.

The petitioner is directed to surrender in the court below and the court below shall consider the regular bail petition of the petitioner taking into consideration the fact that it was the petitioner, who informed the police as disclosed by the victim herself.

(Prabhat Kumar Jha, J)

Amin/-

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