

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.682 of 2015

Arising Out of PS.Case No. -44 Year- 2014 Thana -IMAMGANJ District- GAYA

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Chunnu Yadav Son of Nandu Yadav Resident of Village - Gareria
(Raniganj), P.S. - Imamganj, Dist - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad Sinha, Advocate.

For the Opposite Party/s : Mr. Parmanand Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 27-01-2015 Heard both sides.

The petitioner apprehends his arrest in Imamganj P.S.

Case No. 44 of 2014, registered for the offences punishable under
Section 366A of the Indian Penal Code.

The allegation against the petitioner that he
kidnapped the minor daughter of the informant.

Learned counsel for the petitioner submits that there
was love affair between the petitioner and Soni Kumari, the
daughter of the informant. The victim is recovered. The doctor
assessed her age between 18-19 years. She is a major and no
offence under Section 366 A of the Indian Penal Code is made out.
The victim is living with her parents.

It appears that the victim made her statement under

Section 164 of Cr.P.C. and she disclosed that while she was going to shop of washer man, the petitioner asked her to sit on a motorcycle and thereafter the petitioner along with his brother Upendra Kumar Yadav at the point of Chaku took her to Gaya. She has further stated that the petitioner took her to Delhi and kept her confined in a room in Chandni Chowk, Delhi.

Considering the facts that the petitioner forcibly kidnapped the minor daughter of the informant, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below and pray for regular bail and his prayer shall be considered on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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