

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41740 of 2014

Arising Out of PS.Case No. -221 Year- 2013 Thana -KOCHADHAMAN District- KISANGANJ

MUSHAHID ALAM, SON OF ABDUL LATIF RESIDENT OF
VILLAGE- HARICHOLA, POKHARIA, POLICE STATION - BAISI,
DISTRICT- PURNEA.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

Appearance :

For the Petitioner/s : Mr. Md. Hussain

For the Opposite Party/s : Mr. Md. A.Haque Sahara(APP)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 16-04-2015 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with
Kochadhaman P.S. Case No. 221 of 2013 registered under
Sections 363, 366A and 372/34 of the Indian Penal Code pending
in the court of Chief Judicial Magistrate, Kishanganj.

Accusation is that Rojana Begum, daughter of
informant, was kidnapped by Rinku Karmkar with the help of this
petitioner.

Learned counsel for the petitioner submits that it
would appear from the F.I.R. that there was love affairs between
the victim, Rojana Begum and co-accused, Rinku Karamkar, and

petitioner is said to help the co-accused, Rinku Karmkar in kidnapping of the victim.

Learned A.P.P. submits that on perusal of the impugned order, it appears that anticipatory bail of the petitioner is rejected by the learned Sessions Judge, Purnea on the ground of the statement of victim, under Section 164 of the Cr.P.C., wherein she has stated that this petitioner and co-accused Rinku Karmkar forcibly kidnapped her by a four wheeler vehicle.

Considering the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is rejected. The petitioner is directed to surrender before the learned court below within a period of four weeks and pray for regular bail. The court below will dispose of the bail application of the petitioner without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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