

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5571 of 2016

Arising out of PS.Case No. -49 Year- 2012 Thana -GAURICHAK District- PATNA

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Anant Kumar Singh @ Chhotu Singh, son of Sri Satendra Narayan Singh,
resident of Village - Jamunapur, P.S. - Gaurichak, District - Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Abhay Kumar, Advocate.

For the Opposite Party : Mr. Subhash Chandra Mishra (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-04-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Gaurichak P.S. Case No. 49 of 2012 for the offences
instituted under Sections 364/34 of the IPC.

The prosecution story, in brief, is that on 04.04.2012 at
about 11.00 A.M., when the minor daughter of the informant,
namely, Pooja Kumari, was returning to home from Jamunapur
School, accused persons named in the FIR including the petitioner
forcibly kidnapped and took her away on a vehicle. Previously the
brother's son of Subodh Singh was teasing his said minor daughter
and on 01.04.2012 when the informant made complaint about it to
Subodh Singh, then he abused and attempted to assault him and

also threatened to lift his said daughter.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case. There is no direct evidence against the petitioner nor any specific allegation has been made against the petitioner. The main allegation is against one Sanu Kumar.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R. and the victim has also named the petitioner under 164 Cr.P.C. statement.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in Gaurichak P.S. Case No. 49/2012, pending in the court of the learned A.C.J.M., Patna City, Patna. Anyhow, if the petitioner surrenders in the court below the same shall be considered on its own merit without being prejudiced by this order.

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(Sudhir Singh, J)