

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49913 of 2016

Arising Out of PS.Case No. -37 Year- 2016 Thana -SHRINAGAR District-
WESTCHAMPARAN(BETTIAH)

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1. Bhairo Chaudhary Son of Late Bridhyanath Chaudhary Resident of
village - Shrinagar, Police Station Shrinagar Pujhan, District - West
Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Sri Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 22-12-2016 Heard both sides.

The petitioner apprehends his arrest in Shrinagar
Pujahan P.S. case No. 37 of 2016 under Section 366 of the Indian
Penal Code.

The informant named the petitioner and others and
alleged that they kidnapped the victim.

The learned counsel for the petitioner submits that
petitioner is uncle of Ramesh Choudhary. The victim had love
affairs with Ramesh Choudhary. The victim left her house
voluntarily and fled away with Ramesh Choudhary. The petitioner
is living separately and he has no manner of concern with Ramesh
Choudhary but it appears that victim made her statement under



Section 164 of the Cr. P. C. and she disclosed that petitioner was also one of her kidnappers.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, the learned Chief Judicial Magistrate, West Champaran at Bettiah in Shrinagar Pujahan P.S. case No. 37 of 2016, the learned court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced from the order of this court.

(Prabhat Kumar Jha, J)

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