

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57392 of 2015

Arising Out of PS.Case No. -251 Year- 2015 Thana -SURSAND District- SITAMARHI

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Saroj Kumar, son of Ram Hirday Sah, Resident of Village- Maidan, P.S.-
Sursand, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 17-03-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 363, 366A and 372/34 of the Indian Penal Code.

Allegation against the petitioner is that he along with one Umesh Mandal abducted daughter of the informant on a motorcycle.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. There is admitted love affairs between the victim and Umesh. As far as petitioner is concerned, he is said to have assisted Umesh in fleeing away with the victim. The victim and Umesh was together for a long time but no protest was made by the victim while being in the company of Umesh. The victim in her statement under Section 164 Cr. P.C. has not made any specific allegation against the petitioner. The alleged date of occurrence is 22.9.2015 and the case was instituted on 27.9.2015. Delay has not been explained by the prosecution.

On behalf of the State, it is submitted that petitioner is named in the F.I.R. and has actively participated in the alleged

occurrence.

Considering the fact that victim has named this petitioner, I am not inclined to grant anticipatory bail to the petitioner, same is rejected.

Any how, if petitioner surrenders in the court below, i.e., learned Sub-Divisional Judicial Magistrate, Pupri at Sitamarhi, in connection with Sursand P.S. Case no. 251 of 2015 within a period of six weeks from today and prays for regular bail, same shall be considered and disposed of on its own merit preferably on the same day without being prejudiced by this order.

(Sudhir Singh, J)

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