

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.31088 of 2016**

Arising Out of PS.Case No. -15 Year- 2016 Thana -MALI District- AURANGABAD

Mithilesh Singh S/o Raja Ram Singh resident of Village- Dhiri Bigha, P.S.-  
Mali, District- Aurangabad.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR**  
**MANDAL**  
**ORAL ORDER**

2 19-08-2016

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with  
Mali P.S. Case No. 15 of 2016 pending in the Court of Judicial  
Magistrate 1<sup>st</sup> Class, Aurangabad instituted for the offence  
punishable under Section 366(A)/34 of the Indian Penal Code for  
kidnapping the minor daughter of the informant who was  
working in the mobile shop of the petitioner.

According to FIR, when the daughter of the informant  
did not come her home on the relevant date, an enquiry was made  
with the petitioner where after it was disclosed that she had gone  
with two other persons.

The contention of the petitioner is that even according  
to FIR, petitioner is not the kidnapper. The girl has written some

letter showing innocence of the victim petitioner. Petitioner having no criminal antecedent deserves anticipatory bail.

Learned APP for the State, on the hand, submits that the minor daughter of the informant was serving from few months in the shop of the petitioner. Learned Sessions Judge has found some complicity of the petitioner.

On perusal of the record, in my view, it is not a fit case for grant of anticipatory bail. The prayer for anticipatory bail is rejected.

The petitioner is directed to surrender before the Court below and seek regular bail and if he does so, the same shall be considered and disposed of in accordance with law.

**(Kishore Kumar Mandal, J)**

Prakash/-

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