

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43028 of 2015

Arising Out of PS.Case No. -139 Year- 2014 Thana -KHAGAUL District- PATNA

1. Pancham Kumar
2. Deepak Kumar Both are son of Bhim Choudhary Both resident of
Village - Ramjee Chak Pasi Tola, Police Station - Maner, District - Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Vishwa Ranjan Choudhary, Advocate.

For the Opposite Party : Mr. Anil Kumar Singh 1(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 23-06-2016 Heard both sides.

The petitioners apprehend their arrest in Khagaul P.S.
Case No. 139 of 2014, registered for the offences punishable
under Sections 341, 323, 366(A), 504 and 120(B) of the Indian
Penal Code.

Allegation against the petitioners is that they kidnapped
Bharti Kumari. Bharti Kumari also made her statement under
Section 164 of the Cr.P.C. stated therein that on the pretext of
celebrating birthday the petitioners and others kidnapped her to
Gujarat. Petitioner no. 1 also established physical relationship with
her on the pretext of marriage.

It is submitted that the victim is a major girl. The doctor
also assessed the age of victim between 17-18 years. There is a

counter version lodged by Deepak Kumar petitioner no. 2 for kidnapping of his brother.

Considering the facts aforesaid and the fact that the victim made very specific allegation against both the petitioners that they kidnapped her and petitioner no. 1, thereafter, established physical relationship with her on the pretext of marriage, I am not inclined to enlarge the petitioners above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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