

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12263 of 2017

Arising Out of PS.Case No. -160 Year- 2016 Thana -VIJAYPUR District- GOPALGANJ

- =====
1. Pappu Kumar @ Pappu Turha,
 2. Chunnu Kumar @ Chunnu Turha, Both sons of Jiut Turha, Resident of Village- Chikwaliya, P.S.- Vijayeeपुर, District- Gopalganj.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Mohammad Sufyan, Advocate

For the Opposite Party : Mr. Md. Nazir Ansari (APP)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

- 3 21-04-2017 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in connection with Vijayeeपुर P.S. Case No. 160 of 2016, registered for the offences punishable under Sections 363, 366A/34 of the Indian Penal Code.

Allegedly, the petitioners and co-accused Sohan Turha kidnapped the minor daughter of the informant and fled away with motorcycle. During investigation, the victim girl was recovered and her statement has been recorded under Section 164 of Cr.P.C. wherein she has also stated the name of the petitioners as her kidnappers.



Submissions of false implication and that F.I.R. has been lodged after delay of six days, the victim girl has appeared suo moto before the officer in-charge, love affair was going on between the victim and petitioner no.2 (Chunnu Kumar @ Chunnu Turha), both have performed marriage, but under the pressure of guardian the victim has stated otherwise and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. seriously opposes the prayer of pre-arrest bail by submitting that the victim has stated the names of the petitioners in her statement recorded under Section 164 Cr.P.C. as kidnappers.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioners, I am not inclined to grant privilege of pre-arrest bail to them and accordingly their such prayer stands rejected in connection with Vijayee pur P.S. Case No. 160 of 2016, pending in the Court of learned Chief Judicial Magistrate, Gopalganj.

(Jitendra Mohan Sharma, J.)

Rajiv/-

U		T	
---	--	---	--

