

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37972 of 2017

Arising Out of P.S.Case No. -161 Year- 2017 Thana -BRAHMPUR District- BUXAR

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Raj Kumar Mahto

.... Petitioner

Versus

State of Bihar & Anr

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Prabhu Narayan Sharma, Advocate

For the Opposite Parties : Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 11-08-2017

Heard.

2. The petitioner apprehends arrest in connection with Brahampur P.S.Case No.161 of 2017 pending in the Court of CJM, Buxar registered for an offence under Sections 363 and 366/34 of the IPC.

3. Learned counsel for the petitioner submits that the daughter of informant is a major girl who voluntarily left her house with intention to marry him. The mother of the petitioner has already been allowed anticipatory bail by this Court vide Cr.Misc.No.31763 of 2017. There is also delay of seven days in lodging of the FIR. The victim in her statement under Section 164 Cr.P.C. has not alleged any specific act of misbehavior and so the petitioner deserves anticipatory bail.

4. The learned APP opposed the submissions.



5. On perusal of the FIR, I find that the specific allegation against this petitioner is that he forcibly took the daughter of the informant with intention to marry her. The victim was produced before the Magistrate and her statement was recorded under Section 164 of the Cr.P.C. who has stated the allegation of her kidnapping. She anyhow escaped from the clutch of this petitioner and informed the police whereafter she was rescued by the police, considering which, the prayer for anticipatory bail is rejected.

(Sanjay Kumar, J)

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