

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53190 of 2017

Arising Out of PS.Case No. -111 Year- 2017 Thana -PALASI District- ARRARIA

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Md. Sadique @ Bablu son of Samshad, resident of village-Barhat, Police
Station-Palasi, District-Araria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Pravesh Nath Tiwari

For the Opposite Party/s : Mr. Sri Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 09-11-2017 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends arrest in connection with
Palasi P.S. Case No. 111 of 2017 instituted for the offences
punishable under Sections 366 and 120-B of the Indian Penal
Code.

The allegation as per written report is that this
petitioner and eight others kidnapped the minor daughter of the
informant aged about 17 years.

The learned counsel for the petitioner submitted that
from the allegation no offence under Sections 366-A and 120-B of
the Indian Penal is made out against the petitioner. The daughter
of the informant is major and she had love affairs with this
petitioner. She voluntarily left her house and went away with this



petitioner. The victim was produced before the learned Magistrate where she has stated that she voluntarily left her house and has married with this petitioner.

The learned APP for the State, on the other hand, opposed the submission.

On perusal of F.I.R, I find that there is specific allegation that this petitioner kidnapped the minor daughter of the informant. The victim in her statement given before the learned Magistrate has disclosed her age as 17 years. The learned Magistrate has assessed her age as 17 years. She was produced before the Medical Board where the Doctor has assessed her age in between 17 to 18 years.

Considering the age of the victim and specific allegation of kidnapping with the help of other co-accused by a vehicle, I am not inclined to extend him the privilege of anticipatory bail. The prayer is, therefore, rejected.

(Sanjay Kumar, J)

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