

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22711 of 2017

Arising Out of PS.Case No. -31 Year- 2017 Thana -BASANTPUR District- SIWAN

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AVESH KHAN @ AWAIS KHAN Son of Afaque Alam Khan resident of
Village: Mahpur , P.S. Sarai, District Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Binod Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 07-07-2017 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Basantpur P.S. Case No. 31 of 2017 for the offences punishable under sections 366, 366 (A), 406 and 34 of the I.P.C.

Allegedly, the petitioner was in talking term with the informant. The petitioner has provided mobile to the informant and the petitioner and his mother started alluring her to marry with the petitioner. The petitioner took away the informant with five sets of ornaments and cash of Rs. 25,000/- and kept all the ornaments and cash and sent her to Patna alone. She waited for arrival of the petitioner but he did not come to Patna, thereafter



this case has been lodged.

Submission is of false implication and that the petitioner has got no concern, no case of kidnapping has been made out, the informant out of her own sweet will came from her house with the ornaments and cash, as a matter of fact to put pressure to marry with the petitioner this case has been lodged and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. seriously opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner has taken away the informant after alluring her with cash and ornaments.

In the facts and circumstances as stated above, I am not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. Siwan.

However, in case and if so advised, the petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered on its own merit without being prejudiced by this order, preferably on the same day.

(Jitendra Mohan Sharma, J)

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