

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1765 of 2017

Arising Out of PS.Case No. -233 Year- 2016 Thana -SONBERSA District- SITAMARHI

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1. Indal Mahto Son of Nathuni Mahto, Resident of Village- Dostiya, P.S.-
Sonbarsa, District -Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shankar Kumar

For the Respondent/s : Mr.Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 08-09-2017 Heard the parties.

The appellant is apprehending his arrest in Sonbarsa
P.S. Case No.233 of 2016 registered for the offence under
Sections 363, 366(A)/34 of the I.P.C. and Section 3(I),(X) of the
SC and S.T.(Prohibition of atrocities) Act.

Allegation against the appellant is of kidnapping of
the minor daughter of the informant.

Submission of the learned counsel for the appellant is
that appellant happens to be the father of the co-accused Shashi
Kumar, and as such, he has been falsely implicated in this case
and the victim girl has been recovered, and she has supported the
prosecution story but nothing has specific has been stated against
the appellant.



Heard learned A.P.P. also who opposed the prayer for anticipatory bail of the appellant on the ground of maintainability.

Having heard both sides and in view of the fact that appeal is not maintainable, I am not inclined to grant anticipatory bail to the appellant, let the appellant surrender before the court below and pray for regular bail which will be considered by the learned 1st Additional District & Sessions Judge-cum- Special Judge SC/ST Act, Sitamarhi, on the submission that the appellant is father of main accused and nothing has been attributed against the appellant, if possible, on the same day without being prejudiced by this order.

(Vinod Kumar Sinha, J)

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