

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39830 of 2017

Arising Out of PS.Case No. -123 Year- 2015 Thana -MOKAMAH District- PATNA

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Anil Yadav, Son of Rudal Yadav, Resident of Village- More, P.S. Mokama,
District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 18-09-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Mokama P.S. Case No.123 of 2015 registered under Sections 363
and 366A/34 of the Indian Penal Code, pending in the court of the
Additional Chief Judicial Magistrate, Barh, Patna.

The accusation is that on 08.07.2015, Neha Kumari, the
minor daughter of the informant Surendra Singh, had gone to
school but she did not return. After search, the informant came to
know that this petitioner alongwith his mother and brother-in-law
Ajay Yadav enticed away his daughter.

Learned counsel appearing on behalf of the petitioner



submits that the statement of the victim was recorded under Section 164 of the Code of Criminal Procedure on 04.08.2017, after about one month of the occurrence, in which she has stated about her kidnapping on the point of pistol, boarding her forcibly on the vehicle by Nimesh Kumar and in that vehicle, this petitioner alongiwth Maso Singh and Ajay Yadav were also sitting. Thereafter, Nimesh asked her to perform the marriage with this petitioner and took her at different places and, lastly, she was kept at Mathura, Faridabad and Rajiv Nagar at Haryana. Anyhow, she succeeded to flee away.

Having considered the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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