

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36364 of 2017

Arising Out of PS.Case No. -12 Year- 2017 Thana -BHAIRABASHTHAN District- MADHUBANI
=====

1. Deepak Jha @ Nishant Jha, son of Kedar Nath Jha, Resident of Village-
Hatadha Rupauli, P.S.- Bhairab Asthan, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan
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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-08-2017 The petitioner is apprehending his arrest in connection
with Bhairab Asthan P.S. Case No. 12 of 2017, registered for
offences punishable under Sections 363, 365 and 34 of the Indian
Penal Code.

Allegation against the petitioner is of kidnapping the
daughter of the informant and taking her to Gujarat.

It has been submitted on behalf of the petitioner that he
has falsely been implicated in this case and the girl in her
statement recorded under Section 164 Cr.P.C. clearly shows that
no overt act has been done with the girl. Further the girl had gone
out of her own sweet will and, thereafter, she refused and when
their parents came, the petitioner handed over the girl to her uncle.
It has also been submitted that the age of the girl was determined



as twenty years.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of offence, I am not inclined to grant the privilege of anticipatory bail to the petitioner, his application is accordingly rejected.

Let petitioner surrender before the court below and make prayer for regular bail and if any such application is filed, the court below after considering the submission of learned counsel for the petitioner and also after considering the statement of girl recorded under Section 164 Cr.P.C, shall pass an appropriate order, if possible on same day, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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