

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2876 of 2017

Arising Out of PS.Case No. -26 Year- 2016 Thana -PANDAUL District- MADHUBANI

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VIKASH RAM @ VIKASH KUMAR RAM son of Vaiju Ram Resident of
mohalla - Mestar Toli near Chabhachha turning Madhubani, P.S. Town
(Madhubani), District - Madhubani. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Jha

For the Opposite Party/s : Mr. Sri Ramesh Chandra

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

ORAL ORDER

2 10-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Pandaul P.S. Case No. 26 of 2016 registered for the offences
punishable under Sections 363, 366 of the Indian Penal Code.

Allegedly, the grand daughter of the informant had gone
to attend coaching institute Madhubani but she was made traceless
and it is alleged that the owner of mobile no. 8864010761 has
kidnapped her. During investigation the victim girl was recovered
and her statement has been recorded under Section 164 Cr.P.C.
wherein she made allegation against the petitioner also regarding
the hands of the petitioner in her kidnapping.

Submission is of false implication and that the petitioner
has got no role in the alleged kidnapping. The victim has not been



recovered with the petitioner rather one Deepak was with the victim and as such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail by submitting that the petitioner was also involved in kidnapping of the victim.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected.

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

(Jitendra Mohan Sharma, J)

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