

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49250 of 2017

Arising Out of PS.Case No. -81 Year- 2017 Thana -SIMRA District-
WESTCHAMPARAN(BETTIAH)

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Akhilesh Yadav @ Meli, S/o Shesnath Yadav, R/o Village- Katkuaiya, P.S.-
Semera, District- West Champaran.

.... 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 08-11-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Semra P.S. Case No.81 of 2017 registered under Sections
366(A)/34 of the Indian Penal Code, pending in the court of the
Additional Chief Judicial Magistrate-I, Bagaha, West Champaran.

The accusation is of kidnapping the daughter of the
informant by the family members of Radhika Devi and this
petitioner with an intention to perform her marriage with Saheb
Chaudhary, the son of Radhika Devi.

Learned counsel appearing on behalf of the petitioner
submits that in her statement, as recorded under Section 164 of the



Code of Criminal Procedure, the victim, the daughter of the informant, stated about carrying her to Panchgama Canal by Radhika Devi where this petitioner was called by Radhika Devi, the mother of Saheb Chaudhary. Thereafter, on the instruction of Radhika Devi, this petitioner took the victim to the house of her daughter on tempo where Naresh Yadav and Nand Chaudhary caused assault to the victim. After that, this petitioner carried the victim to his house and kept her there for several days from where she came to the court for giving the statement. In fact, the petitioner was the driver of Saheb Chaudhary, son of Radhika Devi, and on the instruction of Radhika Devi, this petitioner simply took the victim to the house of the daughter of Radhika Devi boarding on the tempo. When this petitioner saw ill behaviour committed on the victim there, he carried the victim to his house and kept her for several days there and from the house of this petitioner, the victim came to the court for giving statement. The victim has not stated about ill-behaviour committed on her at the hands of this petitioner.

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 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)

P.S./-

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