

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21256 of 2018

Arising Out of PS.Case No. -495 Year- 2017 Thana -SUPAUL District- SUPAUL

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Anil Kumar @ Anil Gold @ Gold, Son of Late Birju Mukhiya, resident of
Village- Basbitti, P.S. + Dist.- Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amar Nath Yadav

For the Opposite Party/s : Mr. Nagendra Prasad

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

ORAL ORDER

2 27-04-2018 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Supaul P.S. Case No. 495 of 2017 for the offences punishable under sections 363 and 366 (A) of the I.P.C.

Allegedly, the minor Bhagni of the informant had gone to attend tuition but she did not return and on enquiry it was learnt that the petitioner has kidnapped her. During investigation the statement of the victim girl has been recorded under section 164 of the Cr.P.C, vide Annexure-3, wherein she has supported the allegation of kidnapping naming the petitioner.

Submission is of false implication and that the victim



came before the police herself, she remained in hospital from 01.09.2017 to 12.09.2017 without giving information to the court, the petitioner has been made victim of the circumstances, he has got no criminal antecedent and as such he deserves sympathetic consideration.

The learned A.P.P. seriously opposes prayer for pre-arrest bail of the petitioner.

In the facts and circumstances stated above, considering the statement of the victim girl recorded under section 164 of the Cr.P.C, I am not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. Supaul.

(Jitendra Mohan Sharma, J)

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