

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40458 of 2018

Arising Out of PS.Case No. -17 Year- 2018 Thana -MAHILA P.S. District- BANKA

- =====
1. Munna Kumar Yadav @ Munna Yadav, S/o Jhagru Yadav, Resident of Village- Tari, P.S.- Bhairoganj, Distt- Banka.
 2. Ramesh Yadav, Son of Huro Yadav, Resident of Village- Dhanochhi, Police Station- Bhairoganj, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-07-2018 Heard learned counsel for the petitioners and learned
A.P.P.

The petitioners seek anticipatory bail in connection with Banka Mahila P.S. Case No. 17 of 2018, registered for offences punishable under Sections 341, 323, 354(B), 504, 506/34 of the Indian Penal Code and Section 8 of POCSO Act.

Allegation as per FIR against the petitioners is of kidnapping the informant, who is 15 years old and tried to commit rape upon her and when she was protested, they were threatened and fled away.

Submission of the learned counsel for the petitioners is that as a matter of fact, the informant is cousin sister-in-law of the



wife of the petitioner No. 1 and petitioner No. 2 wants to marry with the informant. It is also submitted that the petitioners have no any criminal antecedent.

Learned A.P.P. opposes the prayer for bail.

In view of allegation against the petitioners, above named, I am not inclined to grant bail to the petitioner. Accordingly, prayer for anticipatory bail is rejected with a direction to the petitioners that if the petitioners surrender before the Court below and makes prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by this order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

Sudha/Priyanka/-

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