

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26083 of 2018

Arising Out of PS.Case No. -107 Year- 2017 Thana -MEHANDIA District- JEHANABAD

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Dharmendra Chaudhary, son of Krit Chaudhary, resident of village-
Temura, P.S.- Pauthu, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate

For the State : Mr. Nawal Kishore, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 26-07-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Mehandia P.S.**

Case No.107 of 2017 instituted for the offence under Section(s)
366(A)/34 Indian Penal Code pending in the Court of the **Chief**
Judicial Magistrate, Arwal.

In the written report, it is alleged that the minor
daughter of the informant, Sudha Kumari, has become traceless.
The informant enquired from Suman Kumari, who disclosed
name of the petitioner along with others in kidnapping of minor
daughter of the informant.

The learned APP has submitted that earlier a case
under Section 366 of Indian Penal Code was filed against the
petitioner for kidnapping Suman Kumari vide Mehandia P.S.
Case No.39 of 2017. In that case, her statement under Section(s)
164 Cr.P.C. was recorded (Annexure-2/1), wherein, she has



stated that she performed marriage with this petitioner in temple. She further stated in her statement that she has voluntarily married with this petitioner. Learned APP has further submitted that statement of Suman Kumari has been recorded by the police in the instant case, which is available at para 35 of case diary, wherein, she has stated the name of the petitioner in kidnapping the daughter of the informant, who is her cousin sister, along with other accused persons.

The learned APP has further submitted that from perusal of case diary it appears that victim girl is still traceless.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioner for grant of anticipatory bail is **rejected**.

Petitioner is directed to surrender before the Court below and make prayer for regular bail, which shall be considered and disposed off by the court below in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

JA/-
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