

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58263 of 2017

Arising Out of PS. Case No.-105 Year-2017 Thana- RAJGIR District- Nalanda

Santosh Chaudhary, Son of Chandra @ Srichand Chaudhary, Resident of
Village- Kripa Bigha, P.S.- Rajgir, District- Nalanda.... ... Petitioner
Versus

The State of Bihar. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Prasad

For the Opposite Party/s : Mr. SRI ASHOK KUMAR SINGH

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

ORAL ORDER

3 18-01-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner apprehends his arrest in connection with
Rajgir P. S. Case No. 105 of 2017 registered for the offence
punishable under Section 366 of the Indian Penal Code.

Allegedly, the petitioner was talking to Sweta Kumari the
married daughter of the informant and when Sweta Kumari
went to attend call of nature, the petitioner kidnapped her on
motorcycle and fled away.

Submission is of false implication and that only on
suspicion the petitioner has been made accused, other co-
accused Srichand Chaudhary and Sarawati Devi have been
allowed pre-arrest bail vide Cr. Misc. no. 29185 of 2017 by
another co-ordinate Bench of this Court. During investigation
nothing has come regarding involvement of the petitioner and



further the informant has filed petition in the court below stating that she has not given the name of anyone in the first information report.

Learned APP seriously opposes the prayer of pre-arrest bail by submitting that witnesses vide paragraphs 3, 4, 8, 9, 10, 13, 40 and 41 of the case diary have supported the allegation of kidnapping by the petitioner and further when on the mobile of the petitioner call was given then one boy stated that the victim is living happily.

In the facts and circumstances stated above, considering the materials against the petitioner, this Court is not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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