

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55943 of 2017

Arising Out of PS.Case No. -170 Year- 2017 Thana -BHANGWANPUR HAT District- SIWAN

- =====
1. Brijkishore Sharma @ Mukhiya Sharma, S/o Dinbandhu Sharma,
 2. Baby Kumari D/o Brijkishore Sharma @ Mukhiya Sharma,
 3. Ramawati Devi W/o Brijkishore Sharma @ Mukhiya Sharma,
 4. Dilip Kumar Sharma S/o Brijkishore Sharma @ Mukhiya Sharma, All
- are R/o Village- Nagwan , P.S.- Bhagwanpur Hat, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 16-01-2018 Heard the learned counsel for the petitioners as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Bhagwanpur Hat P.S. Case No. 170 of 2017 for the offences punishable under sections 363 and 366 (A) of the I.P.C.

Allegedly, the petitioners and other co-accused kidnapped Puja Kumari, aged 15 years, daughter of the informant, with an intention to marry with her. During investigation statement of the victim girl has been recorded under section 164 of the Cr.P.C. wherein also she has named the petitioners regarding



their involvement in her kidnapping.

Submission is of false implication and that the petitioners have got no concern, as a matter of fact the victim girl was having love affair with Sandeep Kumar Sharma and she went with him out of her own sweet will but under family pressure she has given her statement under section 164 of the Cr.P.C and as such the petitioners deserve sympathetic consideration.

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

In the facts and circumstances stated above, considering the allegation attributed against the petitioners which finds support from 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 petitioners and accordingly their such prayer stands rejected in connection with the aforementioned case pending in the court of A.C.J.M. 1st, Siwan.

(Jitendra Mohan Sharma, J)

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