

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57676 of 2017

Arising Out of PS.Case No. -129 Year- 2017 Thana -ALAMNAGAR District- MADHEPURA

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Dhananjay Kumar S/o Sri Kumesh Sharma, R/o Village- Khaun Diyara,
P.S.- Alamnagar (Ratwara O.P.), District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Durgesh Kumar

For the Opposite Party/s : Mr. Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 18-01-2018 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 Alamnagar (Ratwara O.P.) P.S. Case No. 129 of 2017 for the offence punishable under section 366 (A)/34 of the I.P.C.

Allegedly, the petitioner and other co-accused kidnapped Lovely Kumari, aged 15 years, daughter of the informant, when she has gone to attend the call of nature on 10.06.2017 at 2 P.M. in the night.

Submission is of false implication and that merely on suspicion the petitioner has been implicated, there was love affair between co-accused Rajesh Ram and the victim girl, under



pressure the victim girl has given her statement which is beyond the truth, the medical board has assessed the age of the victim girl between 16 to 18 years though the victim girl is aged about 20 years, no offence under section 366 A/34 of the I.P.C. is made out against the petitioner and as such he deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that the victim girl in her statement recorded under section 164 of the Cr.P.C. has supported the allegation of kidnapping by the petitioner also.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner which finds support in the statement recorded under section 164 of the Cr.P.C. of the victim girl, 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 S.D.J.M. Udakishunganj, Madhepura.

(Jitendra Mohan Sharma, J)

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