

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61200 of 2017

Arising Out of PS.Case No. -315 Year- 2017 Thana -SIWAN MUFFASIL District- SIWAN

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Pramod Yadav, S/o Late Kashi Nath Yadav, R/o Chaumukha, P.S.-
Pachrukhi, Dist.- Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Smt. Suman Kumari Singh

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

ORAL ORDER

3 29-01-2018 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 Siwan Muffasil (Mahadewa) P.S. Case No. 315 of 2017 arising out of Complaint Case No. 1752 of 2015 for the offence punishable under section 366 A of the I.P.C.

Allegedly, Kajal Kumari, aged 15 years, younger daughter of the informant, was kidnapped by the petitioner and his mother.

Submission is of false implication and that the victim girl went away with the petitioner out of her own sweet will and the petitioner and the victim girl are living as husband and wife



together and out of the relationship there is a daughter aged about two years, the complaint case has been filed after much delay, the petitioner is keeping his first wife and the victim both happily and there is no grievance to any one and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. seriously opposes prayer for pre-arrest bail of the petitioner by submitting that from the impugned order it reveals that the victim in her statement recorded under section 164 of the Cr.P.C. has stated that the petitioner committed rape forcibly with her resulting she became mother of a child and then marriage was performed.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. Siwan.

Abhay/-

(Jitendra Mohan Sharma, J)

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