

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44229 of 2018

Arising out of P.S. Case No.-97 Year-2018 Thana- MANIHARI District- Katihar

Md. Nurul @ Nurul Alam S/o Md. Jaidur Rahman, resident of Village-
Manoharpur, P.S.- Manihari, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-07-2018

Heard the parties.

The petitioner seeks anticipatory bail in connection with Manihari P.S. Case No.97 of 2018, registered for offences punishable under Sections 366, 323 and 504/34 of the Indian Penal Code.

As per F.I.R., allegation against the petitioner along with other co-accused person is of kidnapping the minor daughter of the informant.

Submission of the learned counsel for the petitioner is that the girl was major and as a matter of fact, this petitioner was earlier filed lodged a case against him for kidnapping the elder sister of the victim girl and the statement of the victim girl recorded under Section 164 Cr.P.C, in which she has named the petitioner also but her parents wants to marry with other person



and she fled away with her own sweet will. It has been further submitted that there is contradiction in the statement of the victim girl as annexure-2.

Learned A.P.P. as well as learned counsel for the informant opposes the prayer for bail stating that the allegation is of kidnapping the minor daughter of the informant.

Having regard of the facts and circumstances and the nature of allegation, I am not inclined to grant bail to the petitioner. Accordingly, prayer for anticipatory bail is rejected with a direction to the petitioner that if the petitioner surrenders before the court below and makes prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by the order of this court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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