

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59996 of 2017

Arising Out of PS.Case No. -270 Year- 2017 Thana -KUDHNI District- MUZAFFARPUR

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Sashi Kumar, S/o Binod Ram, R/o Village- Bhawanipur, P.S.- Kudhani,
District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate.

For the Opposite Party/s : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Kudhani P.S.**

Case No. 270 of 2017 instituted for the offence under Sections
323, 366 and 506 of the Indian Penal Code.

In the First Information Report it is alleged that this
petitioner kidnapped the minor daughter of the informant whose
marriage was fixed on 24.06.2017.

The victim girl has given her statement under Section
164 Cr. P.C. wherein she has stated her age to be 14 years and the
court below has also assessed her age as 14 years. She stated in
her statement that she was kidnapped by this petitioner and taken
to Punjab where this petitioner committed illegal act with her.
Thereafter, she was brought to Muzaffarpur at his maternal grand



mother. He left her near Court campus.

Learned counsel for the petitioner has submitted that victim girl prior to her statement in the court below recorded under Section 164 Cr. P.C., has given her statement before the police under Section 161 Cr. P.C. stating therein that she has love affairs with this petitioner, The victim girl has levelled specific allegation against this petitioner of kidnapping her and committing illegal act with her in statement under Section 164 Cr. P.C.. The girl was minor as per statement recorded under Section 164 Cr. P.C.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the court below and make prayer for regular bail.

(Sanjay Priya, J)

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