

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47796 of 2018

Arising Out of PS.Case No. -53 Year- 2018 Thana -KOTWA District- EASTCHAMPARAN
(MOTIHARI)

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1. Raju Kumar @ Raju Kumar Sahni S/o Late Beni Sahni @ Neni Sahani,
R/o Bhopatpur, P.S.- Kotwa (Bhopatpur), District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Waliur Rahman, Adv.

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-08-2018 The petitioner is apprehending his arrest in connection with Kotwa P.S. Case No. 53/2018, registered for offences punishable under Sections 363, 366(A), 120(B)/34 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping the minor daughter of the informant.

Submission of learned counsel for the petitioner is that no overt act has been attributed to the petitioner and it appears that she was a consenting party.

Heard learned A.P.P. also, who opposed the prayer for anticipatory bail of the petitioner by stating that the petitioner has been named in the statement of the girl recorded under Section 164 Cr.P.C.



Having heard both sides, in view of the facts and circumstances of the case as well as the fact that the girl in her statement recorded under Section 164 Cr.P.C. has named this petitioner, I am not inclined to grant privilege of anticipatory bail to the petitioner rather he should surrender before the court below and pray for regular bail, which would be considered on the merit of the case.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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