

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4869 of 2018

Arising Out of PS. Case No.-356 Year-2017 Thana- HILSA District- Nalanda

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Guddu Prasad, son of Late Jagdish Yadav, Resident of Village- Nakatpura
(Kashochak), P.S. Bihar, District- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha

For the Opposite Party/s : Mr. SRI SATYADEV PRASAD SINGH YADAV

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

ORAL ORDER

2 06-02-2018 Heard learned counsel for the petitioner and

learned counsel representing the State.

The petitioner apprehends his arrest in connection
with Hilsa P.S. Case No. 356 of 2017, registered for the offence
punishable under Section 366(A)/34 of the Indian Penal Code.

Allegedly, the petitioner and other co-accused
kidnapped the victim boy for the purpose of getting him married
forcibly and they got the minor victim boy married with a girl.

Submission is of false implication and that the
petitioner is the father of the girl from whom the marriage was
performed, no offence under Section 366(A) I.P.C. is made out.
Other co-accused namely, Ramesh Prasad, Sanjay Prasad and
Ramnath Prasad have been allowed pre-arrest bail vide Cr.



Misc. Mo. 57289 of 2017 by another co-ordinate Bench of this Court and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that the case of the petitioner is on different footing as he performed the marriage of his daughter with the minor victim boy.

In the facts and circumstances as stated above, finding it not a fit case for pre-arrest bail, I am not inclined to grant privilege of pre-arrest bail to petitioner, but in case if so advised the petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered preferably on the same day on its own merits without being prejudiced by the order of this Court accordingly, this criminal miscellaneous is hereby disposed of.

(Jitendra Mohan Sharma, J.)

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