

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55059 of 2018

Arising Out of PS. Case No.-79 Year-2018 Thana- SARAI District- Vaishali

Rohit Kumar S/o Ram Narayan Das R/o Village - Gobindchak, P.S. Sonapur,
District Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Mukesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

31 12-12-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Sarai P.S. Case no. 79 of 2018, registered under Section
363, 366-A/34 of the Indian Penal Code.

Petitioner is said to have kidnapped the minor
daughter of the informant along with the other accused persons
named in the F.I.R.

Learned counsel for the petitioner submitted that no
such occurrence as alleged ever took place. Victim in her
statement under Section 164 Cr.P.C. has stated that she had suo
motu left her house for aunt house and has performed marriage
with Rohit Kumar out of her sweet will.



Learned APP for the State vehemently opposed the bail petition submitting that bail rejection order of the learned court below indicates that as per the Bihar School Examination Board certificate the date of birth of the victim is 15.03.2001, hence she was minor at the time of occurrence.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for bail is hereby rejected. However, the petitioner is directed to surrender before the learned lower court and pray for regular bail and the learned lower court shall dispose it of in accordance with law without being prejudiced by this order.

(Prakash Chandra Jaiswal, J)

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