

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13110 of 2019**

Arising Out of PS. Case No.-434 Year-2018 Thana- LAKHISARAI District- Lakhisarai

CHHOTU KUMAR @ VISHWAS KUMAR Son of Shankar Yadav @
Brahmchari Umashankar Under Guardianship of his father Shankar Yadav @
Brahmchari Umashankar, Resident of Jakharaj Baba Ashan, Ward No. 30,
P.S.- Lakhisarai (Kawaiya), Distt.- Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. Mr. Shashi Bhushan Kumar, Adv.
For the Opposite Party/s	:	Mr. Nirmal Kumar Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 30-04-2019 This application, for grant of anticipatory bail, arises
out of Lakhisarai P.S. Case No. 434/18, disclosing offences
under Sections 366(A), 504, 506 and 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 the age of the girl has been assessed as 18 to 19 years and
there was love affair between the parties and petitioner has
falsely been implicated in this case and further no sign of rape
has been found in the medical examination.

Learned counsel for the State opposed the prayer for



bail on the ground that the girl in her statement recorded under Section 164 Cr.P.C, has alleged the kidnapping by the petitioner and also the commission of rape by him.

Having heard both sides, considering the facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, if possible on same day, without being prejudiced by this order.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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