

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10028 of 2019

Arising Out of PS. Case No.-244 Year-2018 Thana- NAWANAGAR District- Buxar

RAJESH KUMAR GUPTA, Son of Munna Sah Resident of Village –
Mohanpur, Police Station – Sikaraul, District – Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 17-05-2019 This application, for grant of anticipatory bail,

arises out of Nawanagar P.S. Case No. 244/18, disclosing

offences under Sections 363 and 366(A)/34 of the Indian Penal

Code.

Earlier in this case, case diary and explanation was
called for from the Superintendent of Police, Buxar, which has
been received and the explanation offered by the
Superintendent of Police, Buxar is accepted.

Allegation as per F.I.R. against the petitioner and
others is of kidnapping the minor daughter of the informant.

Submission of learned counsel for the petitioner is
that save and except suspicion, there is absolutely nothing
against the petitioner and earlier also, younger daughter of the
informant has fled away, in which also the petitioner and his



family members have been made accused due to previous dispute. Further submission is that there is delay of 25 days in institution of F.I.R.

learned counsel for the State opposed the prayer for bail and submitted that one of the witnesses has supported the case of prosecution, though they are not eye witness and further the victim girl is still traceless.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather he may move before the court below for grant of regular bail, which will be disposed of by the court below on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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