

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14534 of 2019

Arising Out of PS. Case No.-379 Year-2018 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. RAJESH SAH AND ORS Son of Late Ramanand Sah
 2. Nagendra Sah Son of Late Jita Sah
 3. Manikundal Kumar @ Mani Kundal Kumar Son of Sri Rajesh Sah
All resident of Village- Patparia, P.S.- Mufassil Motihari, District- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malay Kumar Choudhary
For the Opposite Party/s : Mr.Ajit Kumar(App)

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-03-2019 Heard the parties.

The petitioners are apprehending their arrest in connection with Mufassil P.S.Case no.379 of 2018 dated 1.7.2018 registered for offences punishable under Sections 363, 366A/34 of the Indian Penal Code.

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

Submission of the learned counsel for the petitioners is that no specific allegation has been attributed against them and the main allegation is against one Dhananjay Kumar and the girl has also been recovered.

Heard learned A.P.P. and from perusal of the impugned



order, it appears that the statement of the girl has been recorded under Section 164 Cr.P.C. , in which she has named the accused persons and stated that she had been administered some intoxicant and brought her to Gujarat where the co-accused forcibly established sexual relationship with her..

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioners, however, the petitioner is directed to surrender before the learned court below within a period of six weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by the order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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