

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78690 of 2018

Arising Out of PS. Case No.-62 Year-2018 Thana- NATIONAL HIGHWAY District-
Samastipur

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Kamlesh Kumar S/o Sri Nand Kumar Singh Resident of Village-Gaushpur
Sarsauna,P.S. N.H. Bangra,Distt.-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Dheeraj Kumar Roy, Adv.
For the Opposite Party/s	:	Mr.Sri Arun Kumar, APP
for the informant	:	Mr. Birendra Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-01-2019 This application, for grant of anticipatory bail,

arises out of N.H. Bangra P.S. Case No. 62/18, disclosing

offences under Sections 363, 366(A), 120(B) and 34 of the

Indian Penal Code.

Allegation against the petitioner is of forcibly

kidnapping the daughter of the informant.

Submission of learned counsel for the petitioner is

that the statement of girl recorded under Section 164 Cr.P.C.

discloses that she had gone with the petitioner out of her own

sweet will and no allegation either of kidnapping or of any overt

act has been attributed to the petitioner in the statement under

Section 164 Cr.P.C.

Heard learned A.P.P. as well as learned counsel for the



informant, they have opposed the prayer for anticipatory bail of the petitioner.

Having heard both sides, considering the facts and circumstances this application is disposed of with direction to the petitioner to surrender before the court below within a period of six months and the court below after verifying the statement that the girl in her statement under Section 164 Cr.P.C. has not made any allegation against the petitioner and if the submission is found to be true, the court below shall release the petitioner on bail to his own satisfaction otherwise, he is free to pay any order as he deems fit and proper.

With the above observation and direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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