

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49244 of 2019

Arising Out of PS. Case No.-39 Year-2017 Thana- MAIGRA District- Gaya

UPENDRA DAS @ UPENDRA KUMAR DAS, Son of Aditya Das Resident
of Village- Narayanpur, P.S.- Maigra, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the Opposite Party/s : Mr.Pancha Nand Pandit

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-08-2019 Petitioner seeks bail in anticipation of his arrest in connection with Maigra P.S. Case No. 39 of 2017 registered for the offences punishable under Sections 366A and 506 of the Indian Penal Code.

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

Submission of learned counsel for the petitioner is that there is love affair between and she married with the petitioner and both are living together and in spite of that the girl sworn an affidavit showing her age is 19 years and they have also filed a petition before the Judicial Magistrate, Sherghati, Annexure-2.

Heard learned APP, who has opposed the prayer for anticipatory bail of the petitioner stating that the girl is minor



and she is still traceless.

In view of above facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner. However, if petitioner surrenders and makes prayer for regular bail, the same shall be considered, however if prior to that victim girl appeared and her statement is recorded, the same shall be considered by the court below while considering prayer for bail of the petitioner.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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