

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50773 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- ABADPUR District- Katihar

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TABREJ Son of Rafid Resident of Village- Dhulohari Sonapur, Police
Station- Abadpur, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Ziaul Quamar
For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-08-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Abadpur P.S.Case No.36/2019 registered for offences punishable under Sections 363, 366(A), 34 of the Indian Penal Code.

Allegation against the petitioner and other accused persons is of kidnapping of the minor daughter of the informant.

Submission of the learned counsel for the petitioner is that as a matter of fact the girl has love affair with the petitioner and she herself wants to live with the petitioner which will appear from the statement recorded under Section 164 Cr.P.C. but later on due to pressure of the family members, she has stated differently in her statement under Section 164 Cr.P.C.

Heard learned A.P.P. also.



Having heard both sides and in view of allegation and the statement of the girl recorded under Section 164 Cr.P.C. , I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail, which will be considered by the learned court below on its own merit and if possible to be disposed of on the same day.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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