

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52342 of 2019

Arising Out of PS. Case No.-390 Year-2018 Thana- BRAHMPURA District- Muzaffarpur

MD. NEHAL S/o Md. Abdul Barik Resident of Village- Brahampura Nuri
Masjid, P.S.- Brahampura, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-08-2019 Petitioner seeks bail in anticipation of his arrest in connection with Brahampura P.S. Case No. 390 of 2018 registered for the offences punishable under Sections 363 and 366A/34 of the Indian Penal Code.

Prosecution story is that minor daughter of the informant was traceless and later on he came to know that on the point of pistol the petitioner had kidnapped her.

Submission of learned counsel for the petitioner is that the statement of the victim girl has been recorded in which she has categorically stated that no one has kidnapped her and as such she has given complete go-bye to the prosecution case.

Heard learned APP, who has opposed the prayer for anticipatory bail on the ground that the girl is minor and as such her statement has no value.



In view of above facts and circumstances, this application is disposed of with direction to learned court below to verify the statement of the victim girl recorded under Section 164 Cr.P.C. and if it is true that she has not supported the prosecution case of kidnapping by the petitioner, on appearance the petitioner shall be released on bail to its own satisfaction.

(Vinod Kumar Sinha, J)

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