

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57826 of 2019

Arising Out of PS. Case No.-81 Year-2015 Thana- MADHAURAH District- Saran

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RAJEEV KUMAR @ MEGHNATH KUMAR S/O Rajesh Ram Resident of
Village- Tehati, P.S. Morhowrah, District- Saran.

The State of Bihar

... .. Petitioner/s

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satish Chandra
For the Opposite Party/s : Mr.Ashraf Ansari

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 19-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 366(A)/34
of the Indian Penal Code.

While the minor sister of the informant had gone for
defecation along with neighbour Rinku Kumari, Sunil Sah and
petitioner kidnapped them on motorcycle.

It is submitted by learned counsel for the petitioner
that the petitioner has no concern with the aforesaid occurrence.
He has been falsely implicated in this case due to dirty village
politics. Victim Seema Kumari has love affair with Sunil Sah
and she has eloped with Sunil Sah. Said Seema Kumari is major.
She has not named the petitioner in the occurrence. Hence, he



may be enlarged on anticipatory bail.

On the other hand, learned APP for the State opposing the bail prayer of the petitioner submitted that victim Seema Kumari in her statement recorded under Section 164 Cr.P.C. has stated that four accused persons have kidnapped herself and Rinku Kumari on motorcycle and Rinku Kumari in her statement recorded under Section 164 Cr.P.C. has named the petitioner as one of the kidnappers. Hence, he does not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Prakash Chandra Jaiswal, J)

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