

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64800 of 2019**

Arising Out of PS. Case No.-83 Year-2019 Thana- PHULWARIA District- Begusarai

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AMIT KUMAR SAH @ AMIT KUMAR Son of Gopal Sah Resident of
Village - Baro Kadir Chak, P.S.- Phulwaria, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Devendra Kumar

For the Opposite Party/s : Mr.Nand Kishore Prasad

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 16-10-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Phulwariya PS Case No.83/19 registered for offences punishable under Sections 366(A)/34 of the Indian Penal Code.

As per FIR, there is allegation of kidnapping against the petitioner of minor daughter of the informant.

Submission of the learned counsel for the petitioner is that the allegation is false and concocted and the statement of the girl recorded under Section 164 Cr.P.C. does not show any other overt act against the petitioner.

Heard learned A.P.P. who has opposed the prayer for bail on the ground that she is a minor and she has also supported the case in her statement under Section 164 Cr.P.C. .

Having heard both sides and in view of the facts and



circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, if the petitioner surrenders and pray for regular bail, the same shall be considered by the learned court below without being prejudiced by the order of this Court 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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