

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5177 of 2020

Arising Out of PS. Case No.-54 Year-2019 Thana- ANDHRATHARHI District- Madhubani

VIKASH KUMAR CHOUDHARY @ VIKASH KUMAR Son of Santosh
Choudhary Resident of Village-Andharathari, Police Station-Andharathari,
District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Bhushan Singh

For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 28-02-2020 The petitioner seeks regular bail in connection with
Andharathari P.S. Case No. 54 of 2019, registered for offences
punishable under Section 363 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping the
minor daughter of informant and it appears that earlier the case
was lodged under Section 363 of Indian Penal Code but as the
girl is minor aged about 16 years as assessed by the medical
board, the chargesheet has been submitted under Section 366(A)
of the Indian Penal Code. It further appears that the girl in her
statement under Section 164 Cr.P.C. has supported the allegation
of her kidnapping.

It has been submitted on behalf of the petitioner that
there are contradictions in the statement of girl recorded under



Section 164 Cr.P.C, as in her statement, she stated that she came to tea shop and informed about her kidnapping but the statement of tea shopkeeper was recorded, who disclosed that she had come along with her family members and they have taken tea also. Further submission is that petitioner has no criminal antecedent and he has been in custody since 25.11.2019.

learned counsel for the State opposed the prayer for bail on the ground that the girl is minor and she has also supported the case of prosecution.

Having heard both sides, in view of the allegation , at this stage, I am not inclined to enlarge the petitioner on bail.

This application is accordingly dismissed.

(Vinod Kumar Sinha, J)

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