

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20704 of 2020

Arising Out of PS. Case No.-201 Year-2019 Thana- RAJAON District- Banka

CHHOTU KUMAR @ CHHOTU YADAV Son of Sri Anil Yadav Resident of
Village- Khara, Mirjapur, P.S. and P.O.- Rajoun, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandeep Patil, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 22-02-2021 Heard Mr. Sandip Patil, learned counsel for
the petitioner and Mr. Ram Priya Sharan Singh, learned
APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Rajoun P.S. Case No. 201 of
2019 dated 18.05.2019 instituted for the offence under
Section 366 of the Indian Penal Code.

The allegation against him is of having
kidnapped a 23 year old married woman with two
children. Though the allegation is based on suspicion in
the mind of the mother of the victim but as on date, as
it appears from the investigation papers, the victim
woman has not been located.

Apart from this, this Court has found that
there is a specific pleading that the petitioner at the



relevant time was only 17 years of age.

In that view of the matter, if the petitioner is a juvenile and has been made accused in a case of heinous offence, a different assessment is required to be made by the Juvenile Justice Board. Even otherwise, the petition before this Court is not maintainable.

Considering this aspect of the matter, the petition for anticipatory bail is rejected.

It would be open for the petitioner to approach the appropriate court/Juvenile Justice Board to seek relief.

(Ashutosh Kumar, J)

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