

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14046 of 2020**

Arising Out of PS. Case No.-48 Year-2015 Thana- NAUTAN District- Siwan

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ARVIND TIWARI Son of Narendra Tivari Resident of Village- Pipra, P.S.-
Nautan, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Mukeshwar Dayal

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**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER**

4 17-02-2021 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks anticipatory bail in
connection with Nautan P.S. Case No. 48 of 2015 for the
offence under Sections 363, 366(A)/34 of the Indian Penal
Code.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. In fact, the
victim girl voluntarily gone with the petitioner as both are
known to each other. No forceful act or any overt act has
been committed by the petitioner. Moreover, co-accused
having more or less similar allegation has already been



granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 34980 of 2016. Hence, the petitioner may be granted the anticipatory bail.

Learend A.P.P. for the State has opposed the prayer for bail and submitted that there is direct allegation of kidnapping of victim against the petitioner with intention to get married with her which is evident from the paragraph 45 and 47 of the case diary. Hence the petitioner does not deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for bail of this petitioner is rejected.

(Arvind Srivastava, J)

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