

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34242 of 2021

Arising Out of PS. Case No.-251 Year-2020 Thana- KONCH District- Gaya

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ABHIJEET KUMAR, Gender-Male, aged about 21 years, Son of Late Sahdev Chaudhary, Resident of Village - Dharhara, P.s.- Konch in the distt.of Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sunil Kumar, Advocate
For the Opposite Party : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Further, learned counsel for the petitioner is permitted to make necessary correction in paragraph no. 3 of the bail application, in course of the day.

The petitioner is apprehending his arrest in connection with Konch P.S. Case No. 251 of 2020 for the offence registered under Sections 363 and 366(A) of the I.P.C.

The prosecution story, in brief, is that the minor



daughter of the informant, aged about 15 years, went outside her house to attend call of nature on 27.08.2020 at 8 O'clock of night. But she did not return back. The informant and his family members started searching her, upon which, he came to know that accused petitioner kidnapped her minor daughter.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The victim has been recovered. Her statement under Section 164 Cr.P.C. has been recorded where she has expressed her willingness that she wants to live with this petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The victim in her statement recorded under Section 164 Cr.P.C. has made specific allegation of abduction and commission of rape against her by the petitioner.

Considering the same, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in connection with Konch P.S. Case No. 251 of 2020, pending in the court of learned Judicial Magistrate-Ist Class, Gaya.

If the petitioner surrenders in the learned court below



and prays for regular bail the same shall be considered by the learned court below on its own merit without being prejudiced by this order of the Court.

(Sudhir Singh, J)

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