

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44449 of 2021

Arising Out of PS. Case No.-121 Year-2020 Thana- KHIRHAR District- Madhubani

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KRISH YADAV @ KRISH Son of Shikari Yadav Resident of Village -
Khirhar, P.S.- Khirhar, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Masoom Alam, Advocate
For the Opposite Party/s	:	Mr. Umesh Chandra Verma, APP
For the Informant	:	Mr. Ram Bilash Roy Raman, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-04-2022 Heard learned counsel for the petitioner, learned
counsel for the Informant and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 363 and 366A/34 of the Indian Penal Code.

It is a case of forceful abduction of a minor girl aged about 17 years who is grand-daughter of the informant, by the petitioner and other co-accused persons.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case and no case is made out against the petitioner. He further submits that the statement under Section 161 of the Cr.P.C. has been recorded wherein she has not disclosed the complicity of this petitioner and only after being tutored by the family members of the victim, she has made allegation against this petitioner while her statement was recorded under Section 164 of the



Cr.P.C. Petitioner has got clean antecedent.

Learned APP appearing for the State has opposed the prayer for anticipatory bail and submitted that in the case diary, the prosecution witnesses have supported the case of the prosecution. According to the statement under Section 164 of the Cr.P.C. the victim has made allegation against this petitioner and stated that the petitioner had forcefully taken her away from the college on 23.11.2020 by administering her some intoxicated material and when she regained her consciousness, she found herself in Muzaffarpur and this petitioner solemnized marriage after enticing her.

After considering the above facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of this petitioner is rejected.

However, the petitioner is directed to surrender before the court below and pray for regular bail and the court below may consider his prayer for bail without being prejudiced by this rejection order.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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