

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70617 of 2021**

Arising Out of PS. Case No.-267 Year-2021 Thana- UCHKAGAON District- Gopalganj

1. ANITA KUMARI D/o Virendra Yadav R/o Village- Bairiya Dhodhan, P.S.- Uchakagaon, District- Gopalganj.
2. Ajay Kumar @ Ajay Kumar Yadav S/o Virendra Yadav R/o Village- Bairiya Dhodhan, P.S.- Uchakagaon, District- Gopalganj.
3. Virendra Yadav S/o Late Shivraj Chaudhary R/o Village- Bairiya Dhodhan, P.S.- Uchakagaon, District- Gopalganj.
4. Vijay Kumar @ Vijay Kumar Yadav S/o Daroga Chaudhary R/o Village- Bairiya Dhodhan, P.S.- Uchakagaon, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ranjeet Kumar Pandey

For the Opposite Party/s : Mr.Shaheen Begum

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

4      08-08-2022                      Heard learned counsel for the petitioners and learned  
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Uchakagaon P.S. Case no. 267 of 2021 instituted for the offence under Sections 363, 365, 372, 120(B)/34 of the Indian Penal Code.

As per allegation in the FIR, while minor daughter of the informant did not return from her friend's house, a search was made by her father and he came to know that co-accused



Mukesh Kumar and two unknown persons have taken away his daughter by a Scorpio. Then he asked to the father of Mukesh Kumar about his daughter, upon which he assured to return his daughter but later on he refused. Informant has strong suspicion that accused persons will push his daughter in immoral work.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. There was love affair between Mukesh Kumar, petitioner no. 3 and daughter of the informant. Age of the victim has been assessed as 15-16 years by the doctor during her medical examination.

Learned counsel for the informant and learned APP appearing for the State has opposed the prayer of Bail and submitted that victim is a school going minor girl and in her statement recorded u/s 164 Cr.P.C. she has named the petitioners. They have kidnapped the victim girl and taken away her to Delhi. For the easy movement of the victim girl, they have tied her eyes and intoxicated her with ill motive.

Having heard learned counsel for the parties and considering the fact that victim is a minor girl and there is direct allegation of abduction against the petitioners, I am not inclined to grant bail to the petitioners and, as such, their application for



bail stands rejected.

However, if the petitioners surrender and pray for regular bail, the same may be considered by the court below on its own merit without being prejudiced by this order of rejection.

**(Sunil Kumar Panwar, J)**

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