

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4363 of 2023

Arising Out of PS. Case No.-28 Year-2018 Thana- DAUDPUR District- Saran

RAM KUMAR PANDEY @ RAM PANDEY Son of Late Akhilesh Pandey
Resident of at Brahm Sthan, P.S.- Bhagwanpur, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 4819 of 2023

Arising Out of PS. Case No.-28 Year-2018 Thana- DAUDPUR District- Saran

1. GURIYA DEVI Daughter of Chandeshwar Tiwari W/o Ram Kumar Pandey,
At Brahm Sthan, P.S.- Bhagwanpur, District - Siwan
2. Pankaj Kumar Tiwari Son of Chandeshwar Tiwari Resident of at - Jaitpur
Bharwalia, P.S.- Daudpur, District - Saran at Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 4363 of 2023)

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. Arvind Kumar Pandey, App, 84

(In CRIMINAL MISCELLANEOUS No. 4819 of 2023)

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. Arvind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehends their arrest in Daudpur
P.S. Case No. 28 of 2018 registered for the offences punishable
under Sections 366 and 366a of the Indian Penal Code pending



in the Court of learned Sessions Judge, Saran at Chhapra.

Allegation against the petitioners is that they have kidnapped the daughter of the informant with an intention to indulge her in wrong work or to sell her or to commit her murder.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case. He submits that there is no specific overt act against the petitioners. He also submits that there is quite difference in the statement of the victim in the FIR and under Section 164 of the Cr.P.C. He submits that the petitioners have no criminal antecedents.

Learned APP for the State vehemently opposing the bail petition submitted that on the basis of the statement of the victim under Section 164 of the Cr.P.C., the petitioners do not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case and that the statement of the victim under Section 164 of the Cr.P.C., I am not inclined to enlarge the petitioners on anticipatory bail. The prayers for anticipatory bail of the petitioners is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order on



the same day in accordance with law without being prejudiced
by this order.

(Anjani Kumar Sharan, J)

anand/-

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