

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43451 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- NAUTAN District- Siwan

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SUMIT KUMAR YADAV @ BARKA YADAV son of Daroga Yadav @
Rampravesh Yadav Village- West Khalwa Ramnagar Ps- Nautan Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Vikram Deo Singh
	:	Mr. Shambhu Prasad Yadav
For the Opposite Party/s	:	Mrs. Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 366A of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, petitioner is said to have kidnapped the minor daughter of the informant with evil intention.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that during course of investigation nothing has been found against the petitioner. He submits that the victim girl is in love affair with the petitioner. He further



submits that petitioner is a student and only to damage his future this false case has been lodged only to grab money. He submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Per contra, learned APP for the State vehemently opposing the bail application and submits that statement of the victim was recorded under Section 164 Cr.P.C. in which she stated that the petitioner has established physical relationship with her. Hence, he does not deserve anticipatory bail.

6. Considering the statement of the victim recorded under Section 164 Cr.P.C., I am not inclined to enlarge the petitioner on bail in connection with Nautan P.S. Case No. 40 of 2023. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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