

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39080 of 2020

Arising Out of PS. Case No.-60 Year-2020 Thana- NAUTAN District- West Champaran

CHANDAN YADAV Son of Bharat Yadav Resident of Village - Purandarpur,
P.S.- Nautan, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Amarendra Nath Verma, Adv.
For the Opposite Party/s :	Mr. Sachida Nand Rai, APP.
	Mr. Harendra Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-02-2023 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects within four weeks.

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

Allegedly, petitioner is said to have been involved in the kidnapping of the informant's sister.

It is submitted by the learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to ulterior motive. It is further submitted that from the medical report, it appears that she is a major aged about 20 years. He further submits that victim girl has amorous affairs with the accused Pawan Kumar. She does not make any complaint of physical



assault. The allegations levelled against the petitioner is general and omnibus in nature. Petitioner has no criminal antecedent.

Per contra, learned APP for the State as well as learned counsel for the informant vehemently opposing the bail petition submitted that according to the school certificate, the victim is a minor girl and is aged about 12 years. They further submit that the statement of the victim has been recorded under Section 164 Cr.P.C. in which she has supported the prosecution case.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below would pass order in accordance with law without being prejudiced by this order on the very date of surrender considering the fact that there is no specific overt act against the petitioner.

(Anjani Kumar Sharan, J)

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