

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72904 of 2022

Arising Out of PS. Case No.-286 Year-2022 Thana- KUSHESHWARASTHAN District-
Darbhanga

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Mithilesh Chaupal Kumar @ Bhulla Son of Shiv Shankar Chaupal Resident
of Village - Laranch, P.S.- K. Sthan, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Prasad Yadav

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-03-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in Kusheshwar
Asthan PS Case No. 286 of 2022 registered for the offences
punishable under Sections 363, 365 and 34 of the Indian Penal
Code.

As per the prosecution case, petitioner carries
allegation of kidnapping of minor daughter of the informant.

It is submitted that there is case and counter case. The
victim girl was not medically examined. There is contradiction
in the statement of victim girl before the police and in her
statement under Section 164 Cr.P.C. Petitioner is married person
and he has been falsely implicated in this case. Victim girl was



not recovered from possession of the petitioner. Petitioner claims clean antecedent.

Counsel for State however vehemently opposed the prayer for bail and submitted that the victim girl in her statement under Section 164 Cr.P.C has duly supported the prosecution case.

In view of the statement of victim girl under Section 164 Cr.P.C, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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