

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68479 of 2022

Arising Out of PS. Case No.-46 Year-2022 Thana- SITAMARHI District- Sitamarhi

CHANDAN KUMAR S/o Madan Kishore @ Lily R/v- Mirchaipatti, Ward
No- 9, P.S.- Sitamarhi, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 363 and 366A/34 of the Indian Penal Code.

Petitioner is said to have kidnapped the minor daughter of the informant.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to dirty village politics. It is further submitted that during course of investigation the victim girl has been recovered and in her statement recorded under Section 164 Cr.P.C., she has not supported the allegation of kidnapping and the victim girl has not stated anything against



this petitioner. Petitioner has one criminal antecedent.

Learned APP for the State vehemently opposing the bail petition submitted that there is direct and specific allegation against the petitioner that he took away informant's minor daughter. Though the victim in her statement under Section 164 Cr.P.C. has denied the prosecution case but she was minor at the time alleged occurrence. Hence, the petitioner does not deserve the privilege of anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner 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 in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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