

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76230 of 2024

Arising Out of PS. Case No.-4 Year-2022 Thana- GAIGHAT District- Muzaffarpur

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Birju Kumar Yadav @ Birju Kumar Son of Ram Naresh Yadav @ Naresh Ray
Resident of Village - Chhapra, P.S. - Minapur (now Rampurhari), District -
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Punam Shrivastava, Adv
For the State : Mr. Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-11-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in connection with Gaighat (Muzaffarpur) P.S. Case No.04 of 2022, registered for the offence punishable under Sections 365, 34 of the Indian Penal Code.

3. As per the FIR, petitioner and other co-accused persons kidnapped the minor daughter of the informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has been made accused merely on



the basis of suspicion. It is further submitted that there is a contradiction between the statement of the victim recorded u/s 161 of Cr.PC and 164 of Cr.PC. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail by submitting that the victim is a minor and has supported the prosecution case in her statement recorded u/s 164 of Cr.PC.

6. Having regard to the facts and circumstances of the case as well as considering the statement of the victim, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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