

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3495 of 2024

Arising Out of PS. Case No.-129 Year-2021 Thana- BHITAHA District- West Champaran

Nasaruddin Mian @ Dehi Mian @ Dedi Mian Son of Ansar Mian Resident of
Village - Mokari, P.S.- Dhanha, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-02-2024 Heard Mr. Ashok Kumar Gupta, learned counsel

for the petitioner and Mr. Harendra Prasad, learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Bhitaha P.S. Case No. 129 of 2021, F.I.R. dated 24.08.2021 for the offences punishable under Sections 366, 380/34 of the Indian Penal Code.

3. According to prosecution case, this petitioner along with other accused persons have kidnapped the daughter-in-law of the informant with an intention to marry her and also took Rs. 35,000/- along with some gold ornaments.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in



the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that it has come during investigation that the statement of the victim was recorded under Section 164 of the Cr.P.C. in which she has categorically stated that the petitioner has took her away to Bombay. He further submits that the petitioner carries two criminal antecedents other than the present one.

6. Considering the aforesaid facts and circumstances, nature of allegation as well as statement of victim recorded under Section 164 of the Cr.P.C., I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Bhitaha P.S. Case No. 129 of 2021 pending in the court of learned Additional Chief Judicial Magistrate-1, Bagaha, West Champaran.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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