

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77810 of 2024

Arising Out of PS. Case No.-337 Year-2024 Thana- MURLIGANJ District- Madhepura

Vivek Kumar S/o- Devanand Yadav Village- hanumannagar Chitdhara W.NO-6, Ps- Bharrahi Bazar Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 3 07-01-2025 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in case registered for the offences punishable under Sections 126(2), 115(2), 35 2, 96, 3(5) of the Bharatiya Nyaya Sanhita.
3. Prosecution case, in brief, is that on 14.07.2024 at about 10 PM, the daughter of informant had gone to attend the call of nature, but when she did not return, informant searched for her and he came to know that this petitioner along with other accused persons kidnapped her.
4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to village politics. He further submits that the victim in her statement recorded under Section 183 BNSS has not alleged any wrong against the petitioner. As a matter of fact, Sintu



Yadav had dispute with the informant with regard to the property and this petitioner has been implicated in this case due to his enmity with Sintu Yadav. Medical report assessed the age of victim as 14 to 16 years and no external injury has been found on the body and private part of the victim.

5. However, learned A.P.P. for the State opposed the bail application and submitted that petitioner is named in the F.I.R. and victim in her statement recorded under Section 183 of the BNNS also named this petitioner as one of the kidnappers.

6. Considering the aforesaid facts and circumstances of the case, prayer for anticipatory bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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