

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32816 of 2014

Arising Out of PS.Case No. -31 Year- 2013 Thana -MAHILA P.S. District- SAMASTIPUR

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1. Upendra Mahto @ Upendra Kumar Mahto son of Badri Mahto Resident
of village - Ram Nagar, P.S. Hasanpur, District - Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 03-02-2015

Heard both sides.

The petitioner apprehends his arrest in Mahila
(Women) P.S. Case No. 31 of 2013 registered under sections
363A/376/34 of the Indian Penal Code.

The informant named the petitioner and alleged
that the petitioner kidnapped her.

Learned counsel for the petitioner submits that
the victim was recovered but her statement under section 164
Cr.P.C. was not recorded. At the time of her recovery she has
made her statement on 10th of April 2014. All the allegations are
false and concocted. On perusal of record it appears that there is
very specific allegation against the petitioner that he kidnapped the
victim along with Dilip Mahto and she also alleged that both the

accused forcibly raped her. The victim disclosed her age to be 14 years.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly the same is rejected.

(Prabhat Kumar Jha, J)

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