

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17625 of 2015

Arising Out of PS.Case No. -2 Year- 2014 Thana -MAHILA P.S. District- BANKA

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Ashok Pandit Son of Sh. Arjun Pandit @ Ajay Kumar Pandit resident of
village - Dudhaniya, Police STation - Belhar, District - Banka

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Arun Kumar Singh 5 (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-07-2015

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in connection with Banka (Mahila) P.S.Case No. 02 of 2014, registered under Sections 366A, 376D, 354A, 354B, 341, 344, 378, 373, 323, 504 red with 34 of the Indian penal Code and 4,8 and 10 of the POCSO Act, pending in the court of learned C.J.M., Banka.

The informant, Bindu Kumari, alleged that on 07.11.2013 at about 10 A.M. while she was going for preparation of Caste and Residential Certificates from her home, the petitioner along with one Lalan Pandit took her on bike near Khadhodha Pool to Sultanganj and pushed her in a train leading to Patna. It is further alleged that she was kept in Patna for eight days where the petitioner and Lalan Pandit committed rape on her and thereafter sold her to one Sonu Paswan of Amarpur, Banka, who also took her to Delhi for about 15 days and committed rape and while she was at the house of Pappu Paswan in Jitarpur Banka, she managed

to escape from there and lodged the instant case.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. Further it is submitted that the petitioner and the informant are Gotias. It is also submitted that no specific allegation has been made against the petitioner. It is further submitted on behalf of the petitioner that though it is alleged that the victim has traveled long distance along with the petitioner and others but she never made any alarm or protest while being in the custody of the accused persons.

On behalf of the State it has been submitted that the petitioner is named in the FIR and specific allegation has been made against the petitioner.

Considering the fact aforesaid, I am not inclined to grant anticipatory bail to the petitioner. The prayer for anticipatory bail of the petitioner is rejected.

If the petitioner surrenders in the court below within four weeks and pray for regular bail, the same shall be considered on its own merit without being prejudiced by this order of rejection.

(Sudhir Singh, J)

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