

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23579 of 2015

Arising Out of PS.Case No. -113 Year- 2014 Thana -PHULWARIA District- GOPALGANJ

Vidyawati Devi wife of Mukhtar Rajbhar resident of village Rajpur,
Banwatola, P.S. Phulwaria, District Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta

For the Opposite Party/s : Mr. Sanjay Kr. Sharma (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-07-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 366A/34 of the Indian Penal Code.

The accusation is of kidnapping the minor daughter of the informant by the petitioner and co-accused Arun Kumar Rajbhar, Musafir Rajbhar, Asharfi Rajbhar, Rugadi Devi and Brajesh Rajbhar. In 164 Cr. P.C. statement, the victim has alleged that in the bolero vehicle from which the victim was taken, the petitioner was sitting from before along with co-accused Arun and Brajesh.

It is submitted by learned counsel for the petitioner that though, in 164 Cr. P.C. statement, the victim got her age recorded

16 years when the court assessed as such but the medical board assessed the age of the victim as 19 years.

Considering the fact that the victim has named this petitioner in her 164 Cr. P.C. statement, this court is not inclined to grant anticipatory bail to the petitioner.

Let the learned court below consider the prayer for regular bail of the petitioner if she surrenders within a period of six weeks in connection with Phulwariya P.S. Case No. 113 of 2014 pending in the court of learned JM, 1st Class, Gopalganj.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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