

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38895 of 2014

Arising Out of PS.Case No. -76 Year- 2012 Thana -PATLIPUTRA District- PATNA

=====

1. Mohd. Firoj S/o Mohd. Halim Resident of Village Chak Ashraf, P.S.
AND District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Binod Kumar No.3(App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 01-04-2015 Heard learned counsel for the petitioner and learned

counsel representing the State.

Petitioner apprehends his arrest in connection with
Patliputra P.S. Case No. 76 of 2012 registered for the offences
punishable under Sections 363, 366A, 384/34 of the Indian Penal
Code.

Allegedly, the petitioner and co-accused Md. Halim
took Aasharfi Khatoon with them to Varanasi and handed over to
co-accused Md. Taiyum and Md. Taslim. During investigation the
victim girl has been recovered and her statement has been
recorded under Section 164 Cr.P.C. wherein she has stated that
Md. Taiyum has sexually assaulted her while she was in his
captivity.

Submission is of false implication and that against the petitioner there is no specific allegation of committing any overt act. Panchayati has also taken place wherein the allegation against the petitioner has not been found to be true, and as such, the petitioner deserves sympathetic consideration to which the learned APP opposes.

Considering that the petitioner is named in the FIR and the victim in her statement recorded under Section 164 Cr.P.C. has also supported the allegation of kidnapping, this Court is not persuaded to grant the privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--