

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34790 of 2014

Arising Out of PS.Case No. -16 Year- 2014 Thana -KASHICHAK District- NAWADA

1. Ashok Kumar s/o Jagdish Mahto r/o village- Bhatta, P.S. Kashichak,
District- Nawadah

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Chandra

For the Opposite Party/s : Mr. Shailendra Kr. Singh(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

5 06-04-2015 Heard both sides.

The petitioner apprehends his arrest in a case under
section 366A and 376 of the Indian Penal Code.

The petitioner is alleged to have kidnapped the victim and
committed rape with her. It is submitted that the date of
occurrence is 15-3-2014. The victim herself returned on 18-3-
2014. Thereafter, F.I.R. was lodged. There is no eye-witness of the
occurrence. The witnesses have stated that they have not seen the
victim being kidnapped by the petitioner. The mother of the victim
also disclosed that her daughter returned on 18-3-2014. It appears
that the victim herself stated about her kidnapping, and also

alleged that the petitioner established physical relation with her. The court has assessed the age of the victim to be 16 years. The doctor also found the victim below 18 years of age.

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

(Prabhat Kumar Jha, J)

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