

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53891 of 2015

Arising Out of PS.Case No. -9 Year- 2015 Thana -SATHI District-
WESTCHAMPARAN(BETTIAH)

=====

Jitendra Kushwaha Son of Ramagya Kushwaha

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. P.K.Chaurasiya(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-11-2015 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in connection with Sathi P.S. Case No.9 of 2015 registered for the offences punishable under Sections 366A, 328, 376(2)g/34 of the Indian Penal Code and The Protection of Children from Sexual Offences Act, 2012, pending before the learned 1st Additional District and Sessions Judge-cum-Special Judge, Bettiah, West Champaran.

The prosecution case is that the victim was being kidnapped by the petitioner and co-accused Umesh Bhagat and, thereafter, they ravished her by administering some intoxicant. It is further alleged that they talked to co-accused Ramesh Bhagat and left the victim near the village.

It is submitted by learned counsel for the petitioner

that in 164 Cr.P.C. statement the victim has not alleged that she was being ravished by the petitioner and in fact the victim was in love with co-accused Ramesh Bhagat, who has been granted anticipatory bail vide Criminal Miscellaneous No.16039 of 2015.

Considering the fact that the thrust of accusation in the FIR is against the petitioner and Umesh Bhagat, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected.

(Dinesh Kumar Singh, J)

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