

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11215 of 2016

Arising Out of PS.Case No. -251 Year- 2015 Thana -GAURICHAK District- PATNA

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Uttam Das S/o Late Ramswarup Das R/o Tararpur, P.S.- Gaurichak, Distt-
Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Nityanand Kumar, Advocate
For the Opposite Party : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Gaurichak P.S. Case No. 251 of 2015 pending in the Court of
Judicial Magistrate, Ist Class, Patna City for the offences instituted
under Sections 363 and 366A/34 of the Indian Penal Code.

As per the prosecution case, the informant alleged that
on 09.01.2015 at about 4.30 his daughter has not been found at
home then informant searched his daughter and know that one
villager, namely, Manoj Kumar along with other persons enticed
away his girl with intention to marry her.

It has been submitted on behalf of the petitioner that the
petitioner has falsely been implicated in the present case. The

victim girl is said to have been recovered. In her statement, there is no allegation of physical assault against the petitioner. There is admitted enmity between the parties and for the said reason, the petitioner has been made accused in the present case.

On behalf of the State, it has been submitted that the victim girl in her statement under section 164 Cr.P.C. has named this petitioner.

Considering the aforesaid facts and circumstances of the case, I am not inclined to release the above named petitioner on anticipatory bail, the same is rejected.

Anyhow, if the petitioner surrenders in the court below within a period of four weeks, the same shall be considered on its own merit without being prejudiced by this order taking into account the submissions made on his behalf.

(Sudhir Singh, J)

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