

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18733 of 2016

Arising Out of PS.Case No. -304 Year- 2015 Thana -LAKHISARAI District- LAKHISARAI

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Firoz Singh, Son of Nirpendra Prasad Singh, Resident of Village- Singhma,
P.S.- Matihani, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate

For the Opposite Party/s : Mr. Akbar Ali(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 27-07-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Lakhisarai P.S. Case No.304 of 2015 for allegedly having committed the offence under Section 366A/34 of the Indian Penal Code, pending in the court of learned Chief Judicial Magistrate.

Case diary in the present case was called for, which has since been received.

Learned counsel for the petitioner submits that there was a love affair between the accused Gautam Singh and the victim girl, namely, Khushboo Kumari. It is submitted that they had eloped and got married. He further submits that the

petitioner has no role to play in the occurrence. Pointing out to the affidavit, which has been brought on record, in which the victim girl has stated that she has married accused Gautam on her own will, he submits that in such circumstances, the petitioner's role and complicity can well be proved out.

Learned counsel appearing on behalf of the State on perusal of the case diary submits that there is sufficient material in the case diary to indicate that the girl was kidnapped and taken away by the accused Gautam Singh and Santosh Singh and thereafter, she was confined in the house of the petitioner where she was subjected to rape on several occasions. The petitioner is the brother-in-law of accused Gautam Singh.

Considering that there being sufficient materials in the case diary, I am not inclined to grant anticipatory bail to the petitioner. It is, accordingly, dismissed.

(Anjana Mishra, J)

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