

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33841 of 2016

Arising Out of PS.Case No. -165 Year- 2015 Thana -BARSOI District- KATIHAR

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Vikash @ Vikash Rai @ Vikash Kumar Rai @ Vikash R. Rai S/o- Fannu
Rai, Resident of Village- Sadapur, P.S.- Balia Belone, District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Firoz Ahmad, Advocate

For the Opposite Party/s : Mr. Sri Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 23-09-2016 Heard both sides.

The petitioner apprehends his arrest in Barsoi P.S.
Case No.165 of 2015 under Sections 366/34/120B of the Indian
Penal Code.

The mother of the victim disclosed the name of four
persons, namely, Holia Shil, Pradeep Shil, Shobhna Devi and
Minta Shil and they, after hatching conspiracy, might have
kidnapped her daughter.

Shri Jagdish Prasad, learned counsel for the petitioner
submits that the petitioner is not named in the F.I.R. Petitioner was
having love affairs with the victim, she herself fled away but she
made her statement under Section 164 Cr.P.C. she gave a different
story that the petitioner and Holia kidnapped her but from perusal

of the case diary and the statement of the victim, it appears that the victim has made very specific allegation that Vikash, the petitioner and Holia Shil forcibly kidnapped her on a motorcycle and took her to unknown place. Vikash committed rape with her.

Considering the nature of allegation made against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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