

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39747 of 2016

Arising Out of PS.Case No. -238 Year- 2015 Thana -MAJHAHGARH District- GOPALGANJ

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1. Safi Ahmad Son of Nabibul Mian resident of village - Pathara, P.S. Manjhagarh, District Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 20-09-2016 Heard both sides.

The petitioner apprehends his arrest in Manjhagarh P.S. Case No. 238 of 2015, registered for the offences punishable under Sections 363, 366A of the Indian Penal Code.

The informant alleged that his daughter had gone to sewing school but she did not return. The informant came to know that Murtuza Hafiz kidnapped his daughter and the petitioner also helped Murtuza Hafiz in kidnapping his daughter.

Learned counsel for the petitioner submits that the petitioner is innocent. The owner of the tailoring shop stated that the victim had love affair with Murtuza Hafiz and he saw both going from the tailoring shop. Other witnesses have also stated this fact.

It appears from perusal of the statement of the victim recorded under Section 164 of the Cr.P.C. that on 21st October, 2015 while she was going to tailoring centre, Safi Ahmed (the petitioner), Murtuza Hafiz, Sonu @ Taukir and Arman Ali came and abused the victim. The owner of the tailoring shop closed the shop. While the victim was returning her house, the petitioner kidnapped her and took her in a Bolero. The victim has made specific allegation that the petitioner also kidnapped her and Murtuza Hafiz after kidnapping intoxicated her and committed rape with her.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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