

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31031 of 2016

Arising Out of PS.Case No. -69 Year- 2016 Thana -BASOPATTI District- MADHUBANI

1. Ramashish Ram @ Ram Kumar Ram Son of Desi Ram @ Jaisi Rai,
resident of Village- Mahadeo Patti, P.S. Harlakhi, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Sri Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 12-08-2016

Heard Mr. Bimal Kumar for the petitioner and the
State.

The petitioner apprehends his arrest in connection
with Basopatti P.S. Case No. 69 of 2016, registered under Sections
363 and 366 A of the IPC.

The mother of the victim lodged a case that while
her minor daughter had gone to attend the call of nature she was
abducted/kidnapped. On secret information, she could learn that
girl was kept in the house of the petitioner. When she went to get
the daughter released, she was abused and threatened.

Contention of the petitioner is that there is
inordinate delay in lodging the FIR. In the assessment of the
learned Magistrate while recording the statement the victim was

aged about 16 years old. The Medical Board has assessed the age of the victim girl between 17 to 18 years. No allegation of any misbehave was made by the victim girl in her statement.

Learned APP opposed the prayer and contended that in her statement made under Section 164 Cr.P.C., the girl has alleged against the petitioner of having forcibly kidnapped her.

Looking to the allegations and the other materials available on record including the statement of the victim girl made under Section 164 Cr.P.C, I am not persuaded to extend the privilege of anticipatory bail to the petitioner. Prayer is rejected.

(Kishore Kumar Mandal, J)

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