

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53792 of 2016

Arising Out of PS.Case No. -138 Year- 2016 Thana -AURANGABAD TOWN District-
AURANGABAD

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Anil Kumar Singh @ Anil Kumar, Son of Shri Mukhdeo Singh @
Mukhdeo Ram, resident of Village- Amba, P.S.- Amba, District-
Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 14-12-2016 Heard the learned counsel for the petitioner and the
learned APP for the State.

Petitioner is languishing in custody since 13.05.2016 in
connection with Aurangabad (Town) P.S.Case No.138 of 2016
pending in the Court of CJM, Aurangabad for an offence
registered under Sections 363, 368 and 372 of the IPC.

The informant of this case is the uncle of the victim
who has alleged that the petitioner with the help of other co-
accused kidnapped his niece Niki Kumari with an intention to sell
her. This petitioner appears to be the main accused having specific
allegation of kidnapping the victim.

The minor niece of the informant was apprehended by



the police at Delhi and her statement recorded under Section 164 of the Cr.P.C. in which she has disclosed that her age is 15 years and the Magistrate has also assessed her age as such. She has supported the allegation of her kidnapping as alleged in the written report.

It has been submitted by the learned counsel for the petitioner that the age of the victim girl has been assessed as 18 to 19 years and no sign of rape has been found. He further submits that the girl has been recovered with the petitioner at Delhi

However, learned APP for the State submits that the petitioner is named in the FIR, hence opposes the prayer for bail.

Considering the aforesaid facts and circumstances, I am not inclined to release the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected.

(Sanjay Kumar, J)

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