

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25368 of 2016

Arising Out of PS.Case No. -219 Year- 2015 Thana -HASANPUR District- SAMASTIPUR

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Amit Kumar, son of Indradeo Yadav, resident of Village - Mauji, P.S.-
Hasanpur, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Raghwanand, Advocate.

For the Opposite Party/s : Mrs. Asha Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 18-08-2016

Heard both sides.

The petitioner apprehends his arrest in Hasanpur P.S.

Case No. 219/15 registered under Section 376(C)/34 of the Indian
Penal Code.

The victim made allegation that she went outside her
house to attend the call of nature but Amit Kumar (the petitioner)
and Rampati Kumar forcibly kidnapped her and took her in their
old house. The petitioner committed rape with the victim
throughout the night and dropped her at Salauna Railway Station.
Learned counsel for the petitioner submits that the victim herself
filed a petition that the petitioner did not kidnap her.

It appears that attempt is made to tamper with the
evidence. The victim, who is a minor, has made a very specific
allegation that it was the petitioner who kidnapped her and

committed rape with her.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Hasanpur P.S. Case No. 219/15. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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