

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14019 of 2017

Arising Out of PS.Case No. -76 Year- 2016 Thana -MAHILA PS District- DARBHANGA

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1. Md. Rahamtullah, S/o Abdul Mannan, Resident of Hyderabad, P.S. + Distt.- Hyderabad Former Address Vill + P.S.- Raiyam, Dist.- Darbhanga.
2. Md. Aales @ Aale Navi, S/o Md Hira, Resident of Hyderabad, P.S. + Dist.- Hyderabad Former Address, Vill- Tarsarai, P.S. Sakri, Dist.- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kedar Jha

For the Opposite Party/s : Mr. Sri Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 24-04-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Mahila P.S.

Case No. 76 of 2016 initiated for the offence under Sections-363,
376/34 of the Indian Penal Code.

As per allegation in the written report, the petitioner
No. 2 forcibly kidnapped the informant and brought her to
Hyderabad and left her with petitioner No. 1 who happens to be
brother-in-law of the informant. The petitioner No. 1 brought her
in his house and established physical relation with her forcibly.

C.D. has been received.

Learned APP referring to statement recorded u/S 161 of
the Cr.P.C. in C.D. submits that there is specific allegation against



both the petitioners as mentioned in the written report. The copy of statement of the victim recorded u/S 164 of the Cr. P.C. has been received wherein also, the victim girl has levelled specific allegation against both these petitioners. The court has assessed the age of the victim girl as 17 years. The girl has stated her age 18 years.

In such circumstances, this court is not inclined to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioners is rejected.

The petitioners are directed to surrender before the court below and seek regular bail , which shall be considered on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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