

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19355 of 2017

Arising Out of PS.Case No. -132 Year- 2016 Thana -BARHARIA District- SIWAN

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Anwarul Haque, son of late Qayum Mian, resident of village Jhakhari Hata,
P.S. Barharia, District Siwan.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan, Advocate

For the Informant : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar – 1, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-05-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Barharia P.S. Case No. 132 of 2016 registered for the offences punishable under Sections 448, 363, 366A, 380, 504 and 506/34 of the Indian Penal Code.

Allegation against the petitioner and other co-accused is of kidnapping the daughter of the informant as also committing rape upon her.

It has been submitted on behalf of the petitioner that petitioner has falsely been implicated in this case as he is father of co-accused Serajul Haque and the prosecution story that both father and son making kidnapping of a girl, does not appear to be probable. It has also been submitted that no specific allegation is



made against the petitioner and he is an old person aged 72 years.

Heard learned APP and learned counsel for the informant. Learned counsel for the informant has opposed the prayer for anticipatory bail by drawing my attending towards the statement of the victim girl recorded under Section 164 Cr.P.C. in which she has made allegation against the petitioner also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner.

However, petitioner may surrender and pray for regular bail before the court below, which shall be considered keeping in view of the age of the petitioner and disposed of preferably on the same day.

This application is disposed of with the above observations.

(Vinod Kumar Sinha, J)

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