

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22629 of 2017

Arising Out of PS.Case No. -135 Year- 2010 Thana -MOHIUDDIN NAGAR District-
SAMASTIPUR

=====

Deepak Kumar Singh @ Deepak Singh, S/o Madhuknt Singh, R/o Village-
Bishunpur Beri Tole- Matiyour, P.S.- Mohiuddin Nagar, District-
Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Smt. Suman Kumari Singh

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 14-07-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Mohiuddin Nagar P.S.
Case No. 135 of 2010 for the offences punishable under sections
366 A and 34 of the I.P.C.

Allegedly, the sister aged 14 years of the informant
was kidnapped by he FIR named accused persons. The petitioner
is not named in the FIR but during investigation in the statement
of the victim girl recorded under section 164 of the Cr.P.C name
of the petitioner transpires that the petitioner, Shambhu, Padarath
Rai, Bijendra Rai and Deepak Singh caught her and boarded in a
tempo and brought her at Mahnar and from there Karu Singh and



Ramesh Singh brought her at Delhi Tikri Boarder and closed her in a room where they kept her twelve days and in the night Ramesh Singh and Karu Singh used to rape.

Submission is of false implication and that co-accused Shambhu Rai, Birchand Rai and Ram Padarath Rai have faced trial vide Sessions Trial No. 97 of 2012 and they have been acquitted as the victim has not supported the allegation regarding their involvement, the petitioner has not committed any sexual assault with the victim, due to the village politics the petitioner has been named in the statement of the victim girl as kidnapper and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner.

In the facts and circumstances as stated above, considering that the name of the petitioner has transpired as one of the kidnappers in the statement of the victim recorded under section 164 of the Cr. P.C. and as such I am not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of A.C.J.M-IV, Samastipur.

(Jitendra Mohan Sharma, J)

Abhay/-

U		T	
---	--	---	--

