

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21953 of 2017

Arising Out of PS.Case No. -52 Year- 2016 Thana -SAKATPUR District- DARBHANGA

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1. Md. Mobin Son of Rajuddin, resident of village- Baika, P.S. Sakatpur,
District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 30-08-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in Sakatpur P.S.

Case No.52 of 2016 instituted for the offence under Section(s)

363, 366-A/34 Indian Penal Code pending in the Court of the

Additional Chief Judicial Magistrate, IV, Darbhanga.

The victim on her recovery has given statement under Section 164 Cr. P.C., wherein, she has leveled specific allegation against this petitioner along with Akbar Ali for committing rape after confining her in a house at Allahabad. The victim has stated her age as 14 years and the Court has also assessed her age as 14 years. The doctor has assessed the age of the victim as 14-15 years as mentioned in para 98 of the case diary.



In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioner for grant of anticipatory bail is rejected.

Petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed off by the Court below in accordance with law preferably on the same day without being prejudiced by this order.

(Sanjay Priya, J)

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