

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51605 of 2016

Arising Out of PS.Case No. -174 Year- 2009 Thana -SUGAULI District- EAST CHAMPARAN
(MOTIHARI)

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Sunil Mahato @ Sunil Mahto, S/o Jiut Mahto, resident of Village-Naika Tola, P.S.- Sugauli, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Gorakh Rout, son of late Yadu Rout, r/o village Bahurupiya, P.S. Sugauli, Distt. East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Yadav, Advocate.
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 03-04-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Sugauli P.S.

Case No. 174 of 2009 instituted for the offence under Sections 363 and 365 of the Indian Penal Code.

There is allegation in the written report that the victim girl was kidnapped by the petitioner.

It has been submitted on behalf of the petitioner that a compromise has taken place. From the impugned order, it appears that the victim girl has not been recovered.

Case diary has been received.

Learned A.P.P. on perusal of the case diary has submitted that the girl has not been recovered. It has further been



submitted that the petitioner never appeared before the Investigating Officer and police submitted charge sheet showing him absconder. The anticipatory bail petition filed on behalf of petitioner was earlier rejected by Sessions Judge on 10.8.2011. Thereafter petitioner has filed second anticipatory bail petition before Sessions Judge. There is specific allegation against the petitioner.

Considering the facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail of the petitioner stands rejected.

S.Ali/-

(Sanjay Priya, J)

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