

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31038 of 2017

Arising Out of PS.Case No. -206 Year- 2016 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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Lakho Devi, Wife of Rajesh Sah, resident of Village- Manikpur Pakari,
P.S. Lalganj, Dist.- Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha

For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 11-07-2017 Heard both sides.

The petitioner apprehends arrest in connection with Lalganj
P.S. Case no. 206 of 2016 registered for the offence under
Sections 363, 365, 366A/34 of the I.P.C.

It has been submitted that allegation of abducting the
daughter of informant is not specific against the petitioner and
some of the co-accuseds have been allowed anticipatory bail in Cr.
Misc. no. 6064 of 2017 by one of the co-ordinate Bench of this
court.

The learned APP opposed the submissions by submitting
that the case of the petitioner is on different footing as the
petitioner is named in the F.I.R. with specific allegation.

On perusal of the written report, I find that there is specific



allegation that this petitioner along with Bittu Kumar and Aman Kumar kidnapped the daughter of the informant. The victim was produced before Magistrate where in her statement given under Section 164 of the Cr.P.C., she has stated that she identified this petitioner and co-accused Aman Kumar who are her neighbours and one Bittu Kumar. They gagged her mouth and got her smell some medicine and kidnapped her forcibly. She was kept confined in a room where co-accused Bittu Kumar forcibly established physical relation. The victim has disclosed her age as 16 years and the court recording her statement has assessed her age as 15 years.

Considering the facts and circumstances of the case, I do not find it a fit case for anticipatory bail. The prayer of anticipatory bail is rejected.

(Sanjay Kumar, J)

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