

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20169 of 2017

Arising Out of PS.Case No. -950 Year- 2016 Thana -BANKA District- BANKA

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Md. Shahid Ali @ Md. Shahid Son of Md. Shahjahan, Resident of Village-
Habibpur, Mohalla Mohbali Chak, P.S. Habibpur, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Md. Kuddus Ali, son of Md. Sami Ali, Resident of Village Laxmipur,
P.S. and Dist. Banka.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vaidehi Raman Prasad Singh

For the Opposite Party/s : Mr. Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

4 12-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his arrest
in connection with Banka P.S. Case No. 950 of 2016 registered for
offences under sections 364/34 of the Indian Penal Code.

An allegation has been made that some unknown
persons lifted the girl. In the statement under Section 164 of the
Cr.P.C., the girl has stated that the petitioner and others have lifted
her, took her to Bhagalpur where she was kept in confinement and,
later on, she was dropped at Samukhia More in the night and she
could saved herself by taking shelter in the cane field.

Learned counsel for the petitioner submits that the
matter has been settled and compromise petition has been filed.



The offence is not compoundable and the offence alleged is serious in nature. In that view of the matter, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner, namely, Md. Shahid Ali @ Md. Shahid is rejected.

If the petitioner surrenders before the court below within a period of four weeks from today, the court below will consider his prayer for bail and pass orders in accordance with law on the same day of surrender itself without being prejudiced by this order.

(Shivaji Pandey, J)

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