

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4314 of 2018

Arising Out of PS.Case No. -231 Year- 2017 Thana -SIMRI District- BUXAR

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Shushil Yadav @ Sushil Kumar Yadav S/o Suresh Yadav @ Suresh Gope,
R/o Village- Barka Rajpur, P.S.- Simri, District- Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Sri Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 01-02-2018

The petitioner seeks bail in anticipation of his arrest in connection with Simri P.S. Case No. 231 of 2017 instituted for the offences under Sections 363, 366A of the Indian Penal Code.

The brother of the victim girl has alleged that when the victim had gone along with her mother to the bank for withdrawing money, she asked her mother to wait for some time and she went to collect her photographs from the Studio but she did not return thereafter. The informant, therefore suspected that the petitioner may deliberately have taken away his sister outside the town. When the victim girl was recovered, she clearly stated in her statement recorded under Section of the 164 Cr. P.C that one Aarti Devi and this petitioner induced her for going with them to a



different place. She was later handed over to one Sonalal Chaudhary who took her to Gujrat and subjected her to sexual intercourse.

Learned counsel for the petitioner has submitted that petitioner is only alleged to have induced the victim girl for coming out of her house and going with him.

However, from the reading of the 164 Cr. P.C statement of the victim girl, it appears that petitioner had taken an active part in abducting the victim and thereafter handing her over to one Sonalal Chaudhary, who later subjected her to sexual intercourse.

I am not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail is, therefore, rejected.

(Ashutosh Kumar, J)

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