

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52546 of 2017

Arising Out of PS.Case No. -61 Year- 2017 Thana -SAHIYARA District- SITAMARHI

=====

1. Manish Kumar Singh, Son of Devendra Singh @ Devendra Prasad Singh,
Resident of Village- Belahi, Jairam, P.S.- Sahiyara, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 15-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Sahiyara P.S. Case No. 61 of 2017 instituted for the offence under Sections-366A, 504/34 of the Indian Penal Code.

It is alleged in the written report that granddaughter of the informant went out of the house on 15-04-2017 for some work and she did not return for 2-3 hours. Then the informant started searching her and during search, he was informed by the villagers that his granddaughter was seen on a motorcycle, driven by this petitioner and they were going towards Sitamarhi.

The case diary has been received wherein the statement of victim girl has been recorded before the police u/S 161 Cr.P.C. as mentioned in para-25 of the case diary wherein she has supported the allegation against this petitioner of taking her to Motihari after



kidnapping and of forcibly establishing physical relationship with her. Similar statement has been made by the victim girl in her statement u/S 164 Cr.P.C. The victim in her statement u/S 164 Cr.P.C. has stated her age to be 17 years and the court has also assessed her age to be 17 years.

As such, on the date of occurrence, the girl was not major and this petitioner was said to be aged about 30 years in the written report.

Counsel for the informant has appeared and opposed the prayer.

In such circumstances, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail stands rejected.

The petitioner is directed to surrender in the court below and seek regular bail which will be considered and disposed of on its own merit in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

A.K.V./-

U		T	
---	--	---	--

