

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74295 of 2018

Arising Out of PS. Case No.-245 Year-2018 Thana- GAIGHAT District- Muzaffarpur

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Amarjeet Rai S/oJai Prakash Rai Resident of Village-Mishrauli,P.S.
Gayghat,Distt.-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr.Sri Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 21-12-2018 Heard learned counsel for the parties.

The application for anticipatory bail arises out of Gayghat P.S. Case No. 245 of 2018, disclosing offences under Sections 366-A, 376 and 506/34 of the Indian Penal Code.

Learned counsel, appearing on behalf of the petitioner, has submitted that the lodging of the FIR nearly three months after the informant's daughter was found missing itself creates a serious doubt on the case of the prosecution. He submits that, as a matter of fact, the alleged victim had eloped with the petitioner with consent.

It appears that the statement of the victim has been recorded under Section 164 Cr. P.C., wherein she has supported the case of the prosecution. Her age has been assessed to be 16



yeas by the court recording her statement under Section 164 Cr.
P.C..

Considering the above, I do not consider it to be a fit
case for grant of anticipatory bail. This application is
accordingly rejected.

However, the petitioner is directed to surrender in the
court below within four weeks from today and seek regular bail,
if so advised. If he does so, the court below shall consider his
prayer for regular bail on its own merit, without being
prejudiced by the rejection of the present anticipatory bail
application.

(Chakradhari Sharan Singh, J)

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