

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18637 of 2018

Arising Out of PS.Case No. -90 Year- 2017 Thana -SAHIYARA District- SITAMARHI

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1. Jitendra Thakur @ Jitendra Kumar,
2. Sikindar Thakur @ Sikand Thakur Both Sons of Late Bindeshwar Thakur, R/o Village- Jalsi, P.S.- Sahiyara, Distt.- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Md. Nazir Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-06-2018 Heard the parties.

The petitioners seek anticipatory bail in connection with Sahiuara P. S. Case No. 90 of 2017, registered for offences punishable under Sections 363, 366A, 372/34 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping the minor daughter of the informant.

Learned counsel for the petitioners submits that the petitioners are full brothers and they have not committed such type of offence.

Learned A.P.P. opposes the prayer for bail on the ground that the petitioners are full brothers and they have



committed physical relationship with the minor daughter of the informant.

In view of the facts and circumstances discussed above and all materials available on the record and the statement recorded by the victim girl under Section 164 of Cr. P. C. about the commission of rape by the petitioners, I am not inclined to grant bail to the petitioners. Accordingly, prayer for anticipatory bail is rejected with a direction to the petitioners that if the petitioners surrender before the Court below and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by this order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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