

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46275 of 2018

Arising Out of PS.Case No. -10 Year- 2018 Thana -MAHILA THANA District- BEGUSARAI

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Md. Mustakim @ Md. Mushtakim, Son of Md. Safik @ Safik, Resident of
Village- Phulkari, Parra Tola, Ward No.20, P.S.- Birpur, Distt- Begusarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-09-2018 Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with
POCSO Case No. 21 of 2018, arising out of Mahila P.S.Case No.
10 of 2018 registered for the offences punishable under Sections
366A, 354B of the Indian Penal Code and Sections 7 & 8 of
POCSO Act.

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

Submission of learned counsel for the petitioner is that he
is aged about 66 years and the prosecution case is unbelievable
and it is said that petitioner on receiving telephonic call from his
wife about the case, he left the girl and there is dispute between
the parties and petitioner happens to be resident of village of the



nana of the victim.

Heard learned APP also, who has opposed the prayer for anticipatory bail stating that in 164 Cr.P.C. statement the victim girl has supported the prosecution case.

Having heard both sides and in the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail. However, if petitioner surrenders and makes prayer for regular bail, the same shall be considered and to be disposed of on the same day.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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