

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57085 of 2018

Arising Out of PS. Case No.-126 Year-2018 Thana- SUPAUL District- Supaul

Shambhu Kamat S/o Late Janak Kamat, R/o Vill.- Maheshpur, P.S.- Supaul,
District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 10-12-2018 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in anticipation of his arrest in connection with Supaul P.S. Case No. 126 of 2018 dated 06.03.2018 instituted for the offences under Sections 366(A) and 34 of the Indian Penal Code.

The minor daughter of the informant was kidnapped and in the act of kidnapping, the petitioner has also participated.

Learned counsel appearing for the petitioner has submitted that the daughter of the informant had become closely associated to the son of the petitioner and perhaps they have eloped because of that relationship. On this ground, two of the accused persons viz. Md. Zakir and Md. Faruque have been granted



anticipatory bail by order dated 21.06.2018 passed in Cr. Misc. No.28203 of 2018.

The investigation papers include the 164 statement of the victim girl wherein she has stated that after recovering her consciousness she found herself confined in a room where she was repeatedly sexually assaulted.

Learned counsel for the petitioner has submitted that even if the statement made under Section 164 is to be believed completely the son of the petitioner has been named by the victim and not him.

However taking into account the fact that there is some involvement of the petitioner in the kidnapping of the victim girl, I am not inclined to accord the privilege of anticipatory bail to him.

Mr. Ram Priya Sharan Singh, learned counsel for the State has however informed this Court that he shall refer the case of Md. Zakir and Md. Faruque to the Directorate of Public Prosecution for seeking instructions for filing cancellation of their bail.

The prayer for anticipatory bail is rejected.

(Ashutosh Kumar, J)

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