

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45703 of 2018

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1. Rajesh Rai, Son of Devan Rai, Resident of Village- Bela Khap, P.S.-
Parihar, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-08-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Parihar P.S.Case no.160 of 2016 registered for offences punishable under Sections 363, 366(A) of the Indian Penal Code, later on Section 376 of the IPC an Section 4 of POCSO Act was also added..

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

Submission of the learned counsel for the petitioner is that in the earlier statement recorded under Section 161 of the Cr.P.C., the victim girl has not supported the prosecution case but later on in her statement recorded under Section 164 Cr.P.C. under the pressure of the informant she has stated that the petitioner has taken her forcibly and committed rape upon her.



Heard learned A.P.P. also.

Having heard both sides and in view of allegation and the statement recorded under Section 164 Cr.P.C., I am not inclined to grant anticipatory bail to the petitioner rather let the petitioner surrender before the learned court below within a period of four weeks from the date of receipt of the order and make prayer for regular bail.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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