

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3001 of 2018

Arising Out of PS.Case No. -434 Year- 2015 Thana -ARARIA District- ARRARIA

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Rafique, S/o Late Hamid, Resident of Village- Majkuri, P.S.- Araria,
District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Araria (R.S.) P.S. Case
No. 434 of 2015 instituted for the offence under Sections-366, 376/34
of the Indian Penal Code.

As per written report, this petitioner with other co accused
as mentioned in the written report, kidnapped the informant and
confined her for 19-20 days and committed rape with her one after
another. It is also alleged that they took her to Delhi and she was kept at
unknown place and Haresh said her to consult a doctor. While she was
being taken on tempo, she raised alarm and started weeping. Thereafter,
she was rescued by the co-villagers and police informed parents of the
informant, who came to Delhi and brought her to village.

The learned Sessions Judge has mentioned in the impugned
order that the victim girl in her statement u/S 164 Cr.P.C. has



supported the allegation made in the written report.

As per written report and the statement of victim girl recorded u/S 164 Cr.p.C. there is specific allegation against this petitioner.

Therefore, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail stands rejected.

The petitioner is directed to surrender in the court below and seek regular bail which will be considered and disposed of on its own merit in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

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