

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36213 of 2018

Arising Out of PS.Case No. -20 Year- 2018 Thana -PHULWARIA District- GOPALGANJ

- =====
1. Manu Dubey @ Manu Kumar Dubey, S/o Late Jai Narain Dubey,
 2. Manoj Dubey @ Manoj Kumar Dubey, S/o Late Jai Narain Dubey,
Both are residents of village- Selar, P.S.- Phulwariya, District-
Gopalganj
 3. Mukesh Tiwari, S/o Dhubdeo Tiwari,
 4. Rahul Tiwari, S/o Ramesh Tiwari,
Both are residents village- Dubey Bataraha, P.S.- Phulwariya,
District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda, Advocate
For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP
For the Informant : Mr. Javed Akhtar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 04-07-2018 Heard learned counsel for the petitioners, learned
counsel for the State and learned counsel for the informant.

The petitioners seek pre-arrest bail in connection with
Phulwariya P.S. Case No.20 of 2018 registered under Sections 363
and 366A of the Indian Penal Code.

Learned counsel for the petitioners submitted that due to
Title Suit No.75 of 2014 filed at the instance of father of the
victim, the instant case has been registered by the informant just in
order to put pressure upon the petitioners to leave their claim over
the disputed land.



On the other hand, learned counsel appearing for the informant submitted that the victim in her statement recorded under Section 164 of the Code of Criminal Procedure categorically stated that these petitioners after bodily lifting her took away to village Selar and from there to Chauhan Patti in the house of Brajesh Mishra where they exploited her and, thereafter, took her to Punjab and later on left her at Gopalganj.

I have heard learned counsel for the parties.

Considering the gravity of the offence and the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, I am not inclined to grant pre-arrest bail to the petitioners. Accordingly, their prayer for grant of pre-arrest bail is rejected.

In case the petitioners surrender and seek bail, the same shall be considered on its own merits without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J)

Md.S./-

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