

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14982 of 2018

Arising Out of PS.Case No. -878 Year- 2016 Thana -SAHARSA District- SAHARSA

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Jyoti Kumar S/o Narayan Gupta , R/o Village- Hatbaria, P.S.- Pipra,
District- Supaul.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh

For the Opposite Party/s : Mr. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 26-07-2018

Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with Saharsa Sadar P.S.Case No. 878 of 2016 registered for the offences punishable under Sections 363, 366A, 366 and 34 of the Indian Penal Code.

Allegation against the petitioner and other co-accused persons is of kidnapping the daughter of informant.

Submission of learned counsel for the petitioner is that earlier also the informant had lodged such type of case against the petitioner being Saharsa Sadar P.S.Case No. 698 of 2013 and later on final form was submitted in that case on the basis of statement of victim girl under Section 164 Cr.P.C. and now the present case has been filed. Further submission is that other co-accused having



similar allegation has been granted privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated 12.10.2017 passed in Cr.Misc.No. 47263 of 2017.

Heard learned APP, who has opposed the prayer for anticipatory bail stating that in her statement under Section 164 Cr.P.C. the victim has named this petitioner and stated that he has committed rape upon her.

Having heard both sides and on perusal of the statement of the victim girl it appears that petitioner has illicit relationship with the victim girl of committing rape and other co-accused having no such allegation, I am not inclined to grant privilege of anticipatory bail to the petitioner. Petitioner should surrender and make prayer for regular bail, which shall be considered on its own merit.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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