

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.193 of 2019

Arising Out of PS. Case No.-113 Year-2018 Thana- MUSRIGHRARI District- Samastipur

Deepak Singh Late Budhu Singh Resident of Village- Fatehpur, P.S.-
Musrigharari, District- Samastipur

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Abhay Shankar Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 05-03-2019 Heard the parties.

The appellant seeks anticipatory bail in connection with Musrigharari P.S.Case No. 113 of 2018, registered for offences punishable under Sections 34, 354B and 363 of the Indian Penal Code and Sections 3 (1) (r), 3(i) (s) and 3 (1) (w) of the SC/ST (POA) Act.

Allegation as per F.I.R. against the appellant and other accused persons is of lifting minor daughter of the informant forcibly in a vehicle and on alarm, they fled away by leaving the girl and victim has supported the allegation in her statement recorded under Section 164 Cr.P.C .

Submission of the learned counsel for the petitioner is that the petitioner has falsely been implicated and the informant is not an eye witness and no injury was found on her



person according to medical report and the appellant has no criminal antecedent.

Learned A.P.P. as well as learned counsel for the informant opposes the prayer for bail stating that the girl has supported the prosecution case in her statement under Section 164 Cr.P.C.

Having heard both sides and in view of the facts and circumstances as discussed above, the case of the petitioner is concerned, I am not inclined to grant bail to the appellant, accordingly, prayer of anticipatory bail is rejected with a direction to the appellant that if the appellant surrender before the court below within a period of four weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by this order of this Court.

This application is accordingly dismissed.

(Vinod Kumar Sinha, J)

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