

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22196 of 2019

Arising Out of PS. Case No.-248 Year-2018 Thana- SIDHWALIYA District- Gopalganj

Vikash Dubey Son of Binod Dubey @ Vinod Dubey, Resident of Village -
Jogiraha, P.S.- Mohammadpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Prasad

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-04-2019 Heard both sides.

The petitioner apprehends his arrest in Sidhwalia P.S.

Case No.248 of 2018 registered under Sections 366A and 34 of
the Indian Penal Code.

The mother of the victim alleged that her daughter
was traceless and she suspected that Dipak Kumar Dubey,
Vikash Dubey (petitioner) and Abhay Dubey kidnapped her
daughter.

Learned counsel for the petitioner submits that during
course of investigation the victim was recovered and she made
her statement under Section 164 of the Cr. P.C. The victim did
not make any specific allegation against the petitioner. It is
further submitted that similarly situated co-accused Abhay
Dubey @ Abhay Kumar has already been granted anticipatory



bail vide order dated 28.02.2019 passed in Cr. Misc.No.11938 of 2019, but from perusal of the statement of the victim, it appears that the victim made specific allegation that it was the petitioner who kidnapped her and confined her in a room where Dipak Kumar Dubey committed rape with her. The case of the petitioner does not stand on the same footing as that of Abhay Dubey because the victim did not take the name of Abhay Dubey in her statement under Section 164 of the Cr.P.C.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

Harish/-

U		T	
---	--	---	--

