

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22488 of 2019

Arising Out of PS. Case No.-379 Year-2018 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. DHARMENDRA KUMAR @ DHARMENDRA KUMAR RAI @ DHARMENDRA YADAV Son of Sudama Rai @ Bhagat Resident of Village- Patpariya, P.S.- Muffasil, District- East Champaran.
 2. Sudama Rai @ Bhagat, Son of Kodai Rai, Resident of Village- Patpariya, P.S.- Muffasil, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar Sharan, Advocate

For the Opposite Party/s : Mr.Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 16-07-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in the present case are seeking anticipatory bail in connection with Motihari Muffasil P.S. Case No. 379 of 2018 registered for the offences punishable under Sections 363, 366A/34 of the Indian Penal Code.

Although learned counsel for the petitioners submits that these two petitioners are not said to have committed rape with the victim girl, a perusal of the statement under Section 164 Cr.P.C. of the victim girl would show that there are allegations that these two petitioners had also participated in the kidnapping of the victim girl and then she was taken away to



Gujarat where Dhananjay had forcibly married with her and committed rape. The girl has also stated that the co-accused and these petitioners had then brought her from Gujarat to Madhubani.

In the given facts and circumstances of the case, I am not inclined to extend the privilege of anticipatory bail to the petitioners. The prayer is refused.

In case the petitioners surrender in the court below within a period of four weeks from today and pray for regular bail, their prayer will be considered by the court below on the basis of the materials available on the record.

(Rajeev Ranjan Prasad, J)

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