

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31940 of 2019

Arising Out of PS. Case No.-286 Year-2018 Thana- NAANPUR District- Sitamarhi

Md. Naasir @ Nasir Son of Reyaz Ahmad @ Anuthe, Resident of Village-
Birar, P.S.-Nanpur, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saghir Ahmad

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-05-2019 Heard both sides.

The petitioner apprehends his arrest in Nanpur P.S.
Case No.286 of 2018 registered under Sections 366(A), 363,
354 and other sections of the Indian Penal Code.

The mother of the victim disclosed in her fardbeyan
that her daughter, who had gone to visit fair, did not return.
During course of search, the informant came to know that the
petitioner, who is indulged in flesh trade, kidnapped her
daughter with the help of others and when the informant went to
enquire about her daughter in the house of petitioner, the other
accused persons did not allow her and they also assaulted her.

Learned counsel for the petitioner submits that the
informant retracted from her earlier statement made before the
police. It is not feasible that the daughter of informant was



kidnapped and kept in the house of the petitioner, which is situated in the same village. It is further submitted that the victim was examined by the doctor and the doctor assessed the age of the victim to be around 18 years. The doctor did not give definite opinion with regard to sexual assault on her and so, the petitioner deserves anticipatory bail, but from perusal of the statement of the victim, who disclosed her age to be 15 years, it appears that the victim made very specific allegation against the petitioner that it was the petitioner who kidnapped the victim with the help of three other accused persons and the petitioner confined her in a room. The petitioner also sexually assaulted her while she was kept confined in a room.

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)

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