

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28103 of 2019**

Arising Out of PS. Case No.-27 Year-2019 Thana- MANIHARI District- Katihar

BISHWANATH CHOUDHARY Son of Late Bimal Prasad Choudhary
Resident of Village- Manihari, P.S.- Manihari, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rohit Kumar Sharma, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 01-05-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Manihari P.S. Case No. 27 of 2019 registered for the offences punishable under Sections 365,366 (A)/34 of the Indian Penal Code.

Six named accused persons are said to have kidnapped the minor daughter of the informant from his house for the purpose of marriage along with cash of Rs.50,000/- and jewellery.

It is submitted by the learned counsel for the petitioner that no such occurrence as alleged ever took place. Petitioner is not named in the F.I.R. He has no concern with the



aforesaid occurrence. Petitioner does not happen to be the family member of the main accused namely Pawan Singh. Offence is of 10.01.2019 but the F.I.R was lodged after inordinate delay on 12.1.2019.

On the other hand, learned A.P.P. for the State submitted that although the petitioner is not named in the F.I.R but victim in her statement recorded under Section 164 Cr.P.C. has stated that she was kidnapped by Pawan Singh and bike was being plied by the petitioner and after kidnapping Pawan Singh took her Katihar and forcibly married with her and committed rape against her.

Having regard to the facts and circumstances of the case, the Court is not inclined to give benefit of anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail, is hereby rejected.

(Prakash Chandra Jaiswal, J)

T.Kr./-

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

