

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34237 of 2019

Arising Out of PS. Case No.-280 Year-2018 Thana- BASOPATTI District- Madhubani

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FAGUNI SAHANI Son of Banvani Sahani Resident of Village-Sathgaun,
Ward No.7, P.S.-Harlakhi, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 366(A) of the Indian Penal Code.

The prosecution case is that on 25.11.2018 at 10PM his daughter Guriya aged about 15 years has been kidnapped inducing her to be married by Faguni Sahani. Faguni Sahani is driver of Tractor. Faguni Sah is a married person and he has three children.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in the present due to local village politics.

The statement of the victim girl under Section 164 of



the Cr.P.C. has been recorded on 01.02.2019 before the Magistrate stating that on 25.11.2018, when she had gone out to attend the call of nature, Faguni Sahani caught hold of her from behind, kept a cloth on her mouth, took away from there and committed rape.

Considering the nature of allegation, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, his payer for anticipatory bail is rejected in connection with Bsopatti P.S. Case No. 280 of 2018 from the court of the learned A.C.J.M., Vth Madhubani.

Accordingly, the application is dismissed.

(Anjani Kumar Sharan, J)

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