

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47025 of 2019

Arising Out of PS. Case No.-337 Year-2018 Thana- MINAPUR District- Muzaffarpur

Chhotey Lal Yadav, aged about 38 years, Gender-Male, Son of Late Vigu Yadav Resident of Village - Bhattha Dhupauli Chhapra, P.S.- Sugauli, Dist.- Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rathore Vasundhara

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 30-07-2019 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Minapur P.S. Case No. 337 of 2018 registered for offences under sections 363/366(A) of the Indian Penal Code.

The present case is based on the written report of the Informant stating therein that his daughter Jarina Khatoon is traceless from 10.8.2018 from the house.

In the statement under Section 164 of the Cr.P.C., the victim girl has made a statement that she had a love affair with Vikash and she had gone with Vikash and Mohan to Muzaffarpur and joined Orchestra. She has further stated that on



receipt of the information, the owner of the Orchestra Chhote Lal Yadav came there, thereafter, both Vikash and Mohan left her and went back but, later on, Chhote Lal Yadav took her to Chhupauli Chhapua where he committed rape upon her.

Learned counsel for the petitioner submits that the second statement of the victim girl does not implicate the petitioner but, the first statement itself attributes the allegation against the petitioner.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Accordingly, the prayer for bail of the petitioner, above named, is rejected.

If the petitioner surrenders before the court below within a period of three weeks from today and makes a prayer for bail, the court below, without being prejudiced by this order, will pass orders in accordance with law.

(Shivaji Pandey, J)

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