

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61288 of 2019

Arising Out of PS. Case No.-48 Year-2018 Thana- FULKAHA District- Araria

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SURAJ KUMAR @ SURAJ KUMAR YADAV @ SURJ KUMAR Son of
Mahendra Yadav Resident of Village - Madhura North Ward No.04, P.S.-
Fulkaha, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 16-10-2019 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 366(A) of the Indian Penal Code registered in connection with Fulkaha P.S. Case No. 48 of 2018.

3. It is submitted that the petitioner has been falsely implicated on the accusation that he along with Rajesh Kumar Yadav and two unknown persons carried away the informant's daughter aged 16 years on a motorcycle. It is submitted that as a matter of fact the victim herself went voluntarily with co-accused persons. It is further submitted that no medical report of the victim is available in order to ascertain her age. The informant and his daughter had both filed petitions subsequently before the learned Judicial Magistrate, Araria resiling from the accusations made in the FIR. The petitioner claims clean antecedents.

4. Learned APP on the hand opposes the petition inviting reference to the deposition of the victim recorded under



Section 164 Cr.P.C. in which she is claimed to be of 16 years of age and assessed as such. She has made direct accusation against the petitioner and co-accused persons, which corroborates the accusations in the FIR.

5. Having regard to the nature of accusations and gravity of offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

(Vikash Jain, J)

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