

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68372 of 2018

Arising Out of PS. Case No.-238 Year-2015 Thana- MANJHAGARH District- Gopalganj

Arman Ali Son of Habibullah, Resident of Village- Pathara, P.S. Manjhagarh,
District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohammad Sufyan
For the State : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 363, 366A of the Indian Penal Code.

The prosecution case, in brief, is that the informant's
daughter had gone to learn tailoring but till evening she did not
return. In course of search, it came to know that Md. Murtuza
Hafiz has kidnapped his daughter, in which, the petitioner has
also his hand.

It has been submitted on behalf of the petitioner that there
is no allegation of tampering of witnesses alleged against the
petitioner. The petitioner has been falsely implicated in the
present case. The petitioner is not named in the FIR. His name
has transpired in this case in course of investigation at the



instance of the victim. The main allegation has been levelled against the co accused Md. Murtuza Hafiz and Safi Ahmed. So far petitioner is concerned, there is no allegation of physical or sexual harassment upon the victim on the part of the petitioner.

On behalf of the State, it is submitted that name of the petitioner has come in this case in course of investigation. The victim girl has been examined u/S 164 of the Cr.P.C. in which, she has named the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail of the petitioner in connection with Manjhagarh P.S. Case No. 238 of 2015 is rejected.

If the petitioner surrenders in the court below and seeks regular bail, the same shall be considered on its own merit and disposed of preferably, on the same day, without being prejudiced by this order.

(Sudhir Singh, J)

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