

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54959 of 2018

Arising Out of PS. Case No.-60 Year-2016 Thana- RAMNAGAR District- West Champaran

Subrato Vishwas @ Dr. Subrato Vishwas @ Subrata Biswas S/o Gokul
Bishwas , R/o Pathuriya, P.S.- Halencha Bagada, District- North, 24 Pargana,
West Champaran. Petitioner

Versus

The State Of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 15-01-2019 Heard learned counsel for the petitioner. No one appears
on behalf of the State.

The petitioner apprehends his arrest in connection with
Ramnagar P. S. Case No. 60 of 2016 registered for the offences
punishable under Sections 366A/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that from the
first information report itself it will appear that the daughter of the
informant had received a call on the mobile at about 11:04 a.m. and
thereafter, she left her house on her own will.

Learned counsel submits that she was in love with this
petitioner and the petitioner had given her to understand that he
would marry her. Learned counsel submits that from the medical
report also it appears that age of the victim girl was assessed above
17 and below to 19 years, therefore, it cannot be said that she was not
aware of the consequences. The victim girl was recovered from the
house of the petitioner.



No one appears on behalf of the State to oppose this application.

Although certified copy of statement of victim recorded under Section 164 Cr.P.C. has not been enclosed with the petition, however, in course of hearing learned counsel for the petitioner read over the statement recorded under Section 164 Cr.P.C. by the learned Magistrate. A perusal thereof gives an impression to this Court that there are some allegations which indicate that it would not be a fit case for grant of privilege of anticipatory bail to the petitioner. The prayer of bail is, thus, refused.

In case the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, his prayer for regular bail shall not be refused in a routine manner. The learned court below shall consider the entire materials available on the record including the aforesaid submissions of learned counsel for the petitioner and shall pass appropriate order thereafter.

This application stands disposed off.

(Rajeev Ranjan Prasad, J)

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