

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8536 of 2020

Arising Out of PS. Case No.-364 Year-2019 Thana- BASANTPUR District- Siwan

Nawazis Imam S/o Md. Amin Resident of At-(Sarif) Jalalpur, P.S.-Lakri
Nabiganj O.P. Basantpur, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yashraj Bardhan
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 03-03-2020 Heard learned Counsel for the petitioner and the
learned APP for the State.

Petitioner apprehends arrest in Basantpur (Lakari
Nabiganj) PS Case No. 364 of 2019 registered under Sections 366A
and 504 IPC and Section 8 of Pocso Act.

The allegation levelled by the mother of the victim is
that her daughter has been taken away by the petitioner with intent to
marry. Allegation has been levelled to the extent that daughter of the
informant was a minor.

Learned Counsel for the petitioner submits that the
victim girl has been recovered and her statement has been recorded
under Section 164 Cr.P.C., from which it is evident that she had gone
on her own volition and there is no allegation of forcibly taking away
the victim.

Learned APP has opposed the prayer. It is submitted
that the allegations are in respect of a minor girl. The petitioner, even
as per the statement of the victim, is the person who has enticed her
to go with him and has also established physical relation with the
minor.



Considering the rival submissions this Court is not inclined to grant the privilege of anticipatory bail to the petitioner.
This application is dismissed.

(Madhuresh Prasad, J)

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