

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 19924 of 2020

Arising Out of PS. Case No.-228 Year-2019 Thana- JOKIHAT (Mahalgaon) District- Araria

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Ishtiyaque @ Nanha, aged about 25 years, Male, Son of Mangtu, Resident of
Village - Matiyari, P.S.- Jokihat, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 01-12-2020

The matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Heard Mr. Md. Ziaul Quamar, learned counsel for the petitioner and Mr. Jharkhandi Upadhyay, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner apprehends arrest in connection with Jokihat (Mahalgaon) PS Case No. 228 of 2019 dated 06.06.2019, instituted under Sections 323/363/372/120B of the Indian Penal Code.

4. The allegation against the petitioner and four others is of abducting the granddaughter of the informant and selling



her to a brothel.

5. Learned counsel for the petitioner submitted that there is only bald allegation and suspicion made in the FIR which is totally incorrect as far as the petitioner is concerned. It was submitted that the petitioner is the brother of the second wife of the son of the informant and the victim is the daughter from the first wife of the son of the informant. It was submitted that he has no concern with the affairs of the family of his sister and brother-in-law. It was further submitted that the petitioner has no criminal antecedent.

6. Learned APP, from the case diary, submitted that the investigation has revealed that all the accused had sold the girl to a brothel for Rs. 75,000/- and had distributed the money among themselves. It was submitted that the petitioner was also in league with the other accused as he is the brother of the step mother of the victim. It was submitted that the sister and brother-in-law of the petitioner have clearly stated about the petitioner also being involved in the crime and is said to have also shared the money received from the brothel after selling the victim girl. Learned counsel submitted that the girl has still not been traced.

7. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, the Court is not inclined to grant pre-arrest bail to the petitioner.

8. Accordingly, the application stands dismissed.

9. The interim protection granted earlier by order dated 21.10.2020 stands vacated.

10. Learned APP may return the copy of the case diary to the Superintendent of Police, Araria, who had sent it to him.

(Ahsanuddin Amanullah, J)

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