

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25585 of 2020

Arising Out of PS. Case No.-337 Year-2018 Thana- MINAPUR District- Muzaffarpur

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MOHAN KUMAR @ MOHAN DAS Son of Kishori Lal Das Resident of
Village- Mustafapur, P.S.- Meenapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-10-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in
Meenapur(Minapur) P.S. Case No.337 of 2018 registered under
Sections 363 and 366A of the Indian Penal Code.

The informant alleged that his minor daughter was
kidnapped by unknown persons on 10.08.2018 near the house of
the informant. His daughter was studying in class eight.

The learned counsel for the petitioner submits that
during the investigation, victim was recovered from the house of
Chhote Lal Yadav on 02.09.2018. The victim made statement
that Mohan Lal Yadav and Vikash Kumar took her. Mohan Lal
Yadav committed rape with her but the victim made her
statement under Section 164 Cr.P.C. and she disclosed that she
was having love affairs with Vikash Kumar and she did not



make any allegation of rape against the petitioner. It is further submitted that Vikash Kumar put on trial. The victim also deposed during the course of trial but she did not name the petitioner.

Perused the record. It appears that case is of the year 2018. The victim made allegation that the petitioner along with the other accused persons kidnapped her and petitioner committed rape with her but the petitioner is absconding and, therefore, the trial of co-accused, Vikash Kumar was separated and he was put on trial.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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