

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38484 of 2020

Arising Out of PS. Case No.-309 Year-2018 Thana- RAXAUL District- East Champaran

ARMAN ARMAN @ MD ARMAN @ ARMAN ALAM Son of Tajmul
Miyan Resident of Village - Bela, P.S. - Ramgarhwa, District - East
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Mustajab Alam S/o Manauar Alam Resident of Village - Bara Parerwa,
P.S. - Raxaul, District - East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Advocate
For the Opposite Party/s : Mr.Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-07-2021 Heard both sides through video conferencing.

The petitioner apprehends his arrest in Raxaul P.S.
Case No.309 of 2018 registered under Sections 363A, 366A and
370 of the Indian Penal Code.

The informant alleged in his complaint petition, on
the basis of which the present F.I.R. was lodged, that while his
daughter was going to school, the petitioner and others enticed
her on the pretext that her parents called her to see her relatives
admitted in Dankon Hospital, Raxaul but thereafter the
petitioner and others are said to have kidnapped the victim. The
victim made her statement under Section 164 Cr.P.C. and she
disclosed that the petitioner took her to Kerala and also



committed rape with her.

The learned counsel for the petitioner submits that petitioner is innocent and he has in fact committed no offence. The case has already been compromised but it appears from perusal of the statement of the victim recorded under Section 164 Cr.P.C. that the victim very categorically stated that it was petitioner and others who had kidnapped her. After sometimes, she became unconscious. She found her consciousness in Kerala where the petitioner is said to have committed rape with the victim.

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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