

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16526 of 2022**

Arising Out of PS. Case No.-592 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

Amarnath Sah @ Gandhi Jee Son Of Ram Baran Sah Resident Of Village-
Lakshminarayanpur, P.S. Lalganj, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 29-09-2022 Heard learned counsel for the petitioner and learned
APP for the State and perused the case diary.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 342, 120(B), 366(A), 370, 372, 373, 376, 376(D), 323 and 504/34 of the Indian Penal Code and Sections 3, 4, 5, 6, 7 and 9 of I.T.P. Act and Sections 8 and 12 of the POCSO Act.

It is a case of commission of abduction for rape with the informant/victim.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. Petitioner has falsely been implicated in this case.

However, learned counsel for the State has opposed the prayer for bail of the petitioner and submitted that the victim



in her statement under Section 164 of the Cr.P.C. wherein she has stated that several accused persons have committed rape upon her and she stated the name of the petitioner as Gandhiji. On perusal of the impugned order, it appears that the complicity of the petitioner is involved in this case. Vide para-30 of the case diary, it appears that the mobile number of the accused petitioner is 7979729375 had been mentioned by the victim belong to this petitioner/accused Amarnath Sah @ Gandhiji. The said mobile number stand in the name of the accused/petitioner Amarnath Sah @ Gandhiji and he used to talk to the co-accused Khusbu Kumari on her mobile who threw the victim into the flesh trade.

After considering the aforesaid facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is hereby rejected.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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