

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18890 of 2022

Arising Out of PS. Case No.-147 Year-2017 Thana- LAKHNAUR District- Madhubani

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SANJAY KUMAR YADAV Son of Mahavir Yadav Resident of village - Ward
No. 3, Phulban, Tatuvar, P.S.- manigachhi, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumari Shubham

For the Opposite Party/s : Mr.Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Lakhnour R.S.O.P. P.S. Case no. 147 of 2017 instituted for
the offence punishable under Sections 363 and 366 of the Indian
Penal Code.

It is a case of abduction.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Petitioner is not named in the FIR. Only with a view to
harass and torture the petitioner, present case has been filed
against him. Due to some previous enmity between the parties,
he has been falsely implicated in this case.



Learned APP appearing for the State has opposed the prayer of bail and submitted that statement of the victim girl was got recorded under Section 164 Cr.P.C., wherein she has stated about the complicity of the petitioner in abduction. She has further alleged that petitioner had established physical relationship with the victim girl five months before. He further submits that this is not a fit case for granting anticipatory bail to the petitioner.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of abduction and committing rape against the petitioner upon the niece of the informant, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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