

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29387 of 2022

Arising Out of PS. Case No.-114 Year-2021 Thana- SIKTA District- West Champaran

1. Md. Dilbahar @ Dilbahar Son Of Md. Heyat Resident Of Village - Bhawanipur, P.S.- Sikta, District - West Champaran.
2. Md. Dilkhush @ Dilkhush Son Of Md. Heyat Resident Of Village - Bhawanipur, P.S.- Sikta, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-10-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under

Sections 342, 323, 365, 366(A), 506/34 of the Indian

Penal Code and section 3/4 of the POCSO Act.

It is alleged that minor girl of the informant has

been abducted by the petitioners. It is further alleged

that on refusal of marriage by the victim girl the

petitioners along with the co-accused persons tied her by

rope and laid pressure to marry, assaulted her and also



threatened to pour acid on the face of the victim girl. It is also alleged that the petitioners have committed rape with the victim.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have falsely been implicated in the present case due to denial of marriage proposal of the daughter of the informant with the co-accused Dilbahar. It is further submitted that in para 21 of the case diary, the statement of the victim under Section 161 Cr.P.C has been recorded where she has stated that the accused persons were pressurizing her for marriage and has denied of anything wrong and she herself went home in the morning. The same has also been stated in her statement recorded under section 164 of Cr.P.C.

Learned APP appearing for the State and has vehemently opposed the prayer for anticipatory bail and submitted that the victim in her 164 Cr.P.C statement has specifically stated about the complicity of the



petitioners. It also appears that the petitioners illegally confined the victim girl and compelled to solemnize marriage with Dilbahar. This Court is not inclined to grant privilege of anticipatory bail to the petitioners.

Considering the above-stated facts, this Court is not inclined to grant privilege of anticipatory bail to the petitioners.

The prayer for anticipatory bail of the petitioners stands rejected.

(Sunil Kumar Panwar, J)

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