

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62008 of 2021

Arising Out of PS. Case No.-403 Year-2020 Thana- CHOUTARWA District- West
Champaran

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GABBAR @ AURANGZEB Son of Imam Ansari Resident of Village-
Kolhua, Chautarwa, P.S.- Chautarwa, District- West Chamapran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma, Adv. Mr. Abhishek Kumar, Adv. Ms. Rashmi Jha, Adv.
For the Opposite Party/s :		Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-05-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 366A and 34
of the Indian Penal Code.

As per the prosecution case, the minor daughter of
the informant was kidnapped and on enquiry it transpired that
eight named accused persons have a hand in the occurrence.

It is submitted by learned counsel for the petitioner
that the petitioner is not named in the FIR. His name transpired
in course of investigation when the statement of the daughter of
the informant was recorded under section 164 Cr.P.C. after her
return. Even in the said statement the main allegation has been
levelled against coaccused Abu Bakra and not the petitioner.



The petitioner is in custody since 9.1.2021 and has no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the contents of the statement of the victim under section 164 Cr.P.C. wherein she has categorically named this petitioner as having participated in the crime in which after being kidnapped the daughter of the informant was repeatedly raped, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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