

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63731 of 2021

Arising Out of PS. Case No.-83 Year-2021 Thana- GURARU District- Gaya

Phulchand @ Phoolchand Chaudhary Son of Mahadei Chaudhary Resident of
Village - Tilori, P.O.- Kormathu, Tilori, P.S.- Guraru, District - Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-08-2022 Heard learned counsel for the petitioner and learned
APP for the State and perused the impugned order.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 363 and 366A of the Indian Penal Code and Section 12 of the POCSO Act, 2012.

It is a case of abduction of the daughter of the informant by the petitioner.

It is submitted by the learned counsel for the petitioner that during investigation, the victim was found major and in the statement recorded under Section 164 of the Cr.P.C., she has stated that the victim is being pressurized by the police as well as her family members.

In contra, learned counsel for the APP vehemently



opposed the prayer for anticipatory bail of the petitioner and asserted that the statement of the victim recorded under Section 164 of the Cr.P.C. supported the prosecution case and on perusal of the impugned order it appears that the petitioner had taken away to the victim at Lucknow as well as Varanasi where he forcefully raped her on different occasions and she was also compelled to marry with the petitioner.

After considering the 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 rejected.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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