

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70052 of 2021

Arising Out of PS. Case No.-159 Year-2021 Thana- DIGHWARA District- Saran

SUBHASH YADAV @ SUBHASH KUMAR Son of Arju Yadav @ Arjun Ray Resident of Village- Dumari, P.S.- Nayagawan, District- Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Tiwari, Adv.

For the Opposite Party/s: Ms.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 28-07-2022 Learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned APP for the State.

The petitioner apprehends his arrest in connection with Dighwara P.S. Case No. 159 of 2021, registered for the offences punishable under Sections 366 (A)/34 of the Indian Penal Code.

As per allegation, minor daughter of the informant went out from her house to withdraw money from C.S.P. Centre but did not return. The informant came to know that the present petitioner with co-accused Prem Paswan and Abhishek Kumar had enticed away the daughter of the informant.

Learned counsel for the petitioner has submitted that the occurrence took place on 10.06.2021 and FIR was lodged after three



days i.e. 13.06.2021. He has submitted further that the informant wanted to grab the land of the petitioner and made pressure upon him to execute the sale deed and after denial the present case has been lodged. He has submitted further that both the parties have compromised the case.

Impugned order shows that after recovery of victim her statement was recorded which is incorporated in paragraph No. 3 of the case diary and in her statement under Section 164 of the Cr.P.C. she stated that the petitioner and other accused persons after closing her mouth took her away in a car, kept her for eight days and they committed rape upon her.

Considering the above-mentioned facts and circumstances, I do not think it to be a fit case for anticipatory bail. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

SONALI/-

U		T	
---	--	---	--

