

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68389 of 2023

Arising Out of PS. Case No.-26 Year-2023 Thana- MADHEPURA District- Madhepura

Md. Khalid, Son of Md. Abbas R/o vill - Sahugarh, Diwani Tola, Ward no. 15,
P.S. - Madhepura, Distt. - Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Baxi S.R.P. Sinha, Sr. Advocate Mr. Rupesh Kumar, Advocate
For the Opposite Party/s :	Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Madhepura P.S. Case No. 26 of 2023 registered for the offences punishable under Sections 363, 366(A), 364, 120(B) of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, the daughter of the informant was married to one Tabrez and she had come to her Maika for two months where her friend Shabana used to come to meet her. It is alleged that on 09.12.2022 at around 07:00 P.M., Md. Khalid (this petitioner) with assistance of Shabana (sister of the petitioner), Md. Abbas and Kari Khatoon kidnapped the daughter of the informant.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has no criminal antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the statement of the victim girl under Section 161 Cr.P.C. and under Section 164 Cr.P.C. saying that this petitioner and some others had tied her mouth with cloth and then she became unconscious and thereafter the petitioner indulged in committing rape with her and sold her to someone for doing wrong act, in the nature of the accusation, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

7. The prayer for anticipatory bail of the petitioner is, thus, refused.

8. This application is dismissed.

(Rajeev Ranjan Prasad, J)

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