

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70854 of 2022

Arising Out of PS. Case No.-85 Year-2022 Thana- PARIHAR District- Sitamarhi

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AMARNATH SINGH S/o Saroj Singh R/v- Saisram, P.S.- Parihar, District-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Paswan, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-05-2023 Heard learned counsel for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for
the offence punishable under section 366A/34 of the Indian
Penal Code.

It is alleged that the informant's daughter who is
minor, was traceless from his house since 19.04.2022 at 9'o
clock. During search the informant came to know that his
villager Amarnath Singh kidnapped his daughter with intention
to marry her with the help of other family members. It is also
alleged that when his wife went to the house of Saroj Singh
(Father of Petitioner) for enquiry, all the family members
assaulted her.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. FIR has been lodged by the informant after delay of 6 days and there is no explanation for the same. Unexplained delay in lodging the FIR casts serious doubt over the genuineness of the prosecution. Petitioner claims clean antecedent.

Learned counsel for the State opposed the bail petition and stated that the victim in her 161 and 164 Cr.P.C. statement has supported the prosecution case and she has also stated that this petitioner committed raped with her.

Considering the 161 and 164 of Cr.P.C., statement of the victim, prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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