

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78111 of 2024

Arising Out of PS. Case No.-281 Year-2024 Thana- MADHAURAH District- Saran

-
1. Amit Kumar Yadav @ Amit Yadav S/O Arun Kumar R/O Village - Hasanpura Police station- Marhowrah, District- saran (chapra)
 2. Manish Kumar S/O Arun Kumar R/O Village - Hasanpura Police station- Marhowrah, District- saran (chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-04-2025 Heard Mr. Brij Kishor Mishra, learned counsel for the
petitioners and Abhay Kumar Roy, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Marhowrah P.S. Case No. 281 of 2024, F.I.R. dated 14.05.2024 for the offences punishable under Sections 363, 366(A) of the Indian Penal Code.

3. According to prosecution case, the informant alleged that the petitioners abducted his daughter (victim).

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R.



5. The learned Additional Public Prosecutor on the basis of materials available on the record and the case diary has vehemently opposed the prayer for bail of the petitioners and submits that the statement of victim was recorded under Section 164 of Cr.P.C/183 of BNSS, 2023 in which she has categorically stated that the petitioners had abducted her and and petitioner no.2 forcibly performed marriage with her and petitioner no.2 also committed rape upon her and apart from that the medical evidence of the victim suggest that she has been sexually assaulted by the accused persons. He further submits that both the petitioners have one criminal antecedent but fairly submits on the basis of paragraph-3 of the bail application, that they on bail in the pending matters.

6. Considering the aforesaid facts and the nature of allegation, I am not inclined to grant the privilege of anticipatory bail to the petitioners in connection with Marhowrah P.S. Case No. 281 of 2024 pending in the court of Chief Judicial Magistrate, Chapra, District-Saran.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Suruchi/-

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

