

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7208 of 2015

Arising Out of PS.Case No. -90 Year- 2013 Thana -HATHAURI District- SAMASTIPUR

Roushan Poddar, S/o Dinesh Poddar @ Chandrashekhar Poddar, resident of Village Baheri, P.S. Baheri, District Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Santosh Kumar, Advocate.

For the Opposite Party : Mr. Dr. Ajit Kumar(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 13-04-2015 Heard both sides.

The petitioner seeks bail in connection with Hathauri (Shivajinagar) P.S. Case No. 90 of 2013 in a case under Sections 366 and 376 and other Sections of the I. P.C.

The victim made allegation that while she was in the house of her husband, the petitioner alongwith Ranjan Poddar came at about 11.00 P.M. in the night and forcibly kidnapped her. She made allegation that the petitioner kept her at different places and committed rape with her.

Learned counsel for the petitioner submits that the victim is a major and she was in love with the petitioner. The mother-in-law of the victim disclosed in paragraph no. 9 of the

case diary that the victim was in love with the petitioner. The doctor has not found any sign of rape. The victim made very specific allegation that the petitioner kidnapped her from the house of her husband Suraj Mandal and kept her at different places and also committed rape with her.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected in connection with Hathauri (Shivajeenagar O.P.) P.S. Case No. 90 of 2013, pending in the court of the learned C.J.M., Samastipur.

U.K./-

(Prabhat Kumar Jha, J)

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