

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50588 of 2015

Arising Out of PS.Case No. -57 Year- 2015 Thana -DIGHALBANK District- KISANGANJ

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1. Md. Arshad @ Langra @ Md. Arshad Alam Son of Mahboob Alam
Resident of Village - Talbari, P.S. Dighalbank, District - Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha

For the Opposite Party/s : Mr. Anil Kr. Singh No.1 (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 21-12-2015 Heard learned counsel for the petitioner, learned

counsel representing the State and learned counsel for the

informant.

The petitioner seeks bail in connection with
Dighalbank P.S. Case No. 87 of 2015 registered for the offences
punishable under Sections 365, 366A, 120B/34 of the Indian
Penal Code.

Allegedly, the petitioner and other co-accused
kidnapped Biwi Sima Pravin aged 16 years the daughter of the
informant and after recovery the victim has stated the name of the
petitioner as kidnapper and also as rapist.

Submission is of false implication and that it is a
case of love affairs, the victim and the petitioner have solemnized
marriage and a deed of Muslim Marriage Agreement has been

executed, the doctor has not found any sign of rape and as such the petitioner who is suffering in custody since 22.06.2015 deserves sympathetic consideration to which the learned APP opposes by submitting that the doctor has found the victim minor aged 16 years and the victim in her statement recorded under Section 164 Cr.P.C. has asserted that at the point of knife the petitioner committed rape with her.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner serious in nature, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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