

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23696 of 2015

Arising Out of PS.Case No. -31 Year- 2015 Thana -MALSALAMI District- PATNA

Nikhil Kumar S/o Arun Kumar Sah @ Arun Kumar Resident of Mohalla
Main Road, Madhav Mills, in front of Bihar Furniture, P.S. Malsalami,
District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bidhanesh Misra

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 24-09-2015 Heard both sides

The petitioner seeks bail in a case under Sections
366(A)/34 of the Indian Penal Code and Section 3(1-xii) of the SC
/ ST Act.

The petitioner is alleged to have kidnapped the
victim, a minor girl. The victim was recovered and she made her
statement under Section 164 of the Code of Criminal Procedure.
The victim categorically stated that the petitioner took her to
different places at Ranchi and also committed rape with her. The
victim disclosed her age to be 13 years. The doctor also assessed
the age of the victim in between 14 to 16 years. Admittedly, the
victim is a minor girl.

Considering the facts aforesaid, I am not inclined to
enlarge the petitioner on bail at this stage in Malsalami P.S. Case

No. 31 of 2015. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within six months from the date of receipt / production of this order. If the trial is not concluded within the aforesaid period, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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