

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6107 of 2015

Arising Out of PS.Case No. -465 Year- 2014 Thana -BANKA District- BANKA

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1. Dipak Kumar @ Deepak Kumar Yadav S/o Faojdari Yadav Resident of
Village- Golahu, P.O.- Bindi, P.S. + District- Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi, Advocate.

For the Opposite Party/s : Mr. Jagdhar Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 25-03-2015 Heard both sides.

The petitioner seeks bail in Banka P.S. Case No. 465 of
2014, registered for the offences punishable under Section 366A
and other Sections of the Indian Penal Code.

The father of the victim made allegation that the
petitioner and others have kidnapped his daughter.

Learned counsel for the petitioner submits that the
petitioner is a major on the date of occurrence. She left her house
out of her free will. There was a love affair between the petitioner
and the victim. Many witnesses have also stated the same facts.
The victim moved with the petitioner hither and thither and she
also solemnized marriage with the petitioner in a temple but did
not object.

On the other hand, learned APP opposed the prayer for bail and submitted that the victim herself disclosed in her statement under Section 164 of the Cr.P.C. that the petitioner kidnapped her along with Chandan Kumar and confined her in a room and committed rape with her.

Having considered the facts aforesaid and the fact that the victim herself made very specific allegation against the petitioner that he after confining her in a room committed rape with her, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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