

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5203 of 2015

Arising Out of PS.Case No. -111 Year- 2014 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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1. Nagendra Sahani S/O Faguni Sahani Resident of vill-Madhubani
Ghat,P.S-Muffasil,Distt.-East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishore Prasad

For the Opposite Party/s : Mr. Amit Kumar Rakesh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 11-03-2015

Heard both sides.

Petitioner seeks bail in Motihari Mufasil P.S.

Case no. 111 of 2014 registered under sections
366(A)/504/506/120(B) of the Indian Penal Code.

The informant made allegation that petitioner
and his family members kidnapped her minor daughter Rita
Kumari.

It is submitted that the date of occurrence is
10.04.2014 but the first information report was lodged on
27.04.2014 and this fact shows that the informant is not an eye
witness of the occurrence. The victim was in love with the
petitioner. She traveled alone with the petitioner at different

places but she did not make any hue and cry. The victim made her statement under section 164 Cr.P.C. that while she was cutting grass the petitioner and other kidnapped her. She also alleged that the petitioner also committed rape with her. The doctor has opined that the victim was aged between 18-19 years. It appears that the victim has made specific allegation that the petitioner committed rape with the petitioner and forcibly took her to different places. I am not inclined to enlarge the petitioner on bail at this stage. Accordingly the same is rejected. The petitioner may renew his prayer for bail after remaining one year in custody.

(Prabhat Kumar Jha, J)

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