

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24533 of 2015

Arising Out of PS.Case No. -138 Year- 2014 Thana -NAWINAGAR District- AURANGABAD

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Akhilesh Chauhan Son of Deep Narayan Chauhan Resident of Nabinagar
Pokhara Par, P.S. Nabinagar, District Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeshwar Singh

For the Opposite Party/s : Mr. Ram Bachan Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 21-07-2015

Heard learned counsels for the petitioner and

the State.

The petitioner is languishing in custody since
18.10.2014 in a case registered for the offences punishable under
Sections 363 and 365 of the Indian Penal Code.

The accusation is of abducting the minor
daughter of the informant. In 164 Cr.P.C. statement the victim has
staed that she was abducted by the petitioner, co-accused
Dhirendra Yadav and Rintu Chaudhary.

It is submitted by learned counsel for the
petitioner that 164 Cr.P.C. statement suggests that the victim of
her own went in the company of the petitioner and others and the
medical report suggests no sign of external injury including the

injury on the private part and the accusation of rape has been ruled out by the doctor when the victim has been found aged between 16-17 years and co-accused Dhirendra Yadav has been granted bail vide Cr. Misc. No. 17251 of 2015.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the fact that the victim has been found minor on the alleged date of occurrence and has specifically alleged that she was being ravished by this petitioner, this Court is not inclined to grant bail to the petitioner at present in connection with Nabinagar P.S. Case No. 138 of 2014 pending in the court of learned Special Judge-cum- Ist Additional Sessions Judge, Aurangabad.

Accordingly, the prayer for bail of the petitioner is rejected.

(Dinesh Kumar Singh, J)

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