

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.785 of 2016

Arising Out of PS.Case No. -5 Year- 2015 Thana -BANSHI District- JEHANABAD

1. Nirmal Kumar Son of Ram Jeewan Das Resident of Village-
Makhmilpur, Police Station Karpi in the district of Arwal.

.... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Navin Sharma

For the Opposite Party/s : Mr. T.N. Thakur (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 10-03-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Banshi P.S. Case
No. 05 of 2015 registered for the offence punishable under
Sections 366A/34 of the Indian Penal Code.

Allegedly, the petitioner being tutor of Khushboo
Kumari aged 14 years, the daughter of the informant, took away
her and switched off the mobile. During investigation the victim
girl was recovered by the Police and during medical examination
she has been found pregnant.

Submission is of false implication and that the petitioner
has been made victim of circumstances, the victim in her
statement recorded under Section 164 Cr.P.C. has not stated that
the petitioner developed physical relationship with her and the

victim being major went away with the petitioner out of her own sweet will and as such the petitioner who is suffering in custody since 22.05.2015 deserves sympathetic consideration to which learned APP duly assisted by learned counsel for the informant seriously opposes by submitting that the petitioner committed kidnapping of minor girl and subsequently subjected to rape also.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, 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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