

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9013 of 2016**

Arising Out of PS.Case No. -76 Year- 2014 Thana -POTHIYA District- KISANGANJ

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1. Sushil Soren son of Bijay Soren resident of village- Chilhamari, P.S.-  
Pothia, District- Kishanganj

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dilip Kumar Singh

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**  
ORAL ORDER

2      25-04-2016                      Heard the learned counsel for the petitioner as well as  
  
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences  
punishable under sections 365, 366A and 379/34 of the I.P.C

Allegedly, Lakhi Kumari, the daughter of the  
informant, was taken away by the petitioner with cash of Rs.  
50,000/- and the ornaments. During investigation the victim girl  
was recovered and her statement has been recorded under section  
164 of the Cr.P.C wherein she has supported the allegation of  
kidnapping by the petitioner as well as that the petitioner  
committed rape with her and caused threats to kill her and further  
she has been found aged 16 years only which is evident from the  
impugned order itself.

Submission is of false implication and that the petitioner is in custody since 21.03.2014, it is a case of love affair, from plain reading of the First Information report it is apparent that the victim girl went out of her own sweet will with the cash and ornaments, but later on she alleged allegation against the petitioner and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. seriously opposes.

In the facts and circumstances as stated above, considering the statement of the victim girl recorded under section 164 of the Cr.P.C. and finding the allegation against the petitioner, serious in nature, I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Sessions Trial No. 730 of 2014 arising out of Pothia P.S. Case No. 76 of 2014 pending in the court of the Additional Sessions Judge-II, Kishanganj.

However, considering detention of the petitioner, let the trial be expedited and concluded preferably within a period of six months from the date of receipt/production of a copy of this order after taking the same on the priority basis.

Abhay/-

**(Jitendra Mohan Sharma, J)**

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