

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14469 of 2016

Arising Out of PS.Case No. -34 Year- 2015 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Satish Yadav Son of Ram Sundar Yadav, Resident of village- Sonwar Chak, P.S.- Bibhutipur, District- Samastipur (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Binod Kumar-Iii(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 23-06-2016 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 363, 366 (A) and 34 of the I.P.C

Allegedly, Khushboo Kumari, aged 14 years, the daughter of the informant was kidnapped by the petitioner and other co-accused and during investigation her statement has been recorded under section 164 of the Cr.P.C. wherein she has supported the allegation of kidnapping and rape by the petitioner.

Submission is of false implication and that the victim girl went out of her own free will, the petitioner has been made victim of the circumstances and under the pressure the victim girl has stated the name of the petitioner, other co-accused have been

allowed bail and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that against the petitioner there is allegation of rape also.

In the facts and circumstances as stated above, considering the allegation attributed 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 Bibhutipur P.S. Case No. 34 of 2015 pending in the court of Sri A. Kumar, J.M. 1st Class, Rosera, District-Samastipur.

(Jitendra Mohan Sharma, J)

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