

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14402 of 2016

Arising Out of PS.Case No. -135 Year- 2015 Thana -HASANPUR District- SAMASTIPUR

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Pawan Kumar Sah, Son of Late Sudip Sah @ Sujeet Sah, resident of
Village- Kharahia, P.O.- Mangalgarh, P.S.- Hasanpur, District- Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Labh

For the Opposite Party/s : Mr. Narsing Tanti (App)

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

ORAL ORDER

3 13-05-2016 Heard the learned counsel for the petitioner and

the learned A.P.P representing the State.

The petitioner seeks bail in connection with
Hasanpur P.S. Case No. 135 of 2015 registered for the offences
punishable under Sections 448, 341, 323, 363, 366, 379, 504
and 506/34 of the Indian Penal Code.

Allegedly, the petitioner and other co-accused
named in the first information report along with two to three
unknown persons entered into the house of the informant,
started assaulting, took away cash of Rs. 50,000/-, ornaments
of Rs. 2 lakhs and other articles of Rs. 80,000/- and also
kidnapped married daughter of the informant. During
investigation, the victim was examined by the police and also
under Section 164 of the Code of Criminal procedure wherein

she has supported the allegation of kidnapping and further that the petitioner wanted to marry with her which she refused and then she was brought at Guwahati, where the petitioner committed rape with her.

Submission is of false implication and that as a matter of fact, the victim went with the petitioner out of her own sweet will, no offence as alleged is made out, the informant has lodged this case with wrong and false allegation, the victim has sworn affidavit before Notary Public, Saharsa regarding her marriage with the petitioner, but under pressure she changed her version, co-accused Sudip Sah has already been allowed bail vide Criminal Misc. No. 42013 of 2015.

The learned A.P.P opposes the prayer of the bail.

In the facts and circumstances 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 Hasanpur P.S. Case No. 135 of 2015 pending in the Court of learned Judicial Magistrate-Ist Class, Rosera, Samastipur.

(Jitendra Mohan Sharma, J)

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