

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22213 of 2016

Arising Out of PS.Case No. -13 Year- 2016 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

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1. Rintu @ Mukesh Yadav son of Rishi Yadav R/o Village - Dihgulariya,
P.S. Chainpur, District Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. P.K.Chourasiya(App)

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

ORAL ORDER

2 24-05-2016 Heard the learned counsel for the petitioner, the

learned A.P.P for the State as also the learned counsel for the

Informant.

The petitioner seeks bail in a case for the offence
punishable under section 366 (A) of the I.P.C

Babita Kumari, aged 17 years, the niece of the
informant became traceless and it has been alleged that the
unknown miscreants had kidnapped her. During investigation the
statement of the victim girl was recorded under section 164 of the
Cr.P.C wherein she has supported the allegation of kidnapping by
the petitioner and further that the petitioner committed rape with
her several times and kept confined her for 8-9 days in a room.

Submission is of false implication and that as a matter of fact it was a case of love affair, the victim girl is major one and she went with the petitioner out of her own sweet will, the learned Magistrate assessed her age as 18 years and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail.

In the facts and circumstances as stated above, considering the statement of the victim girl recorded under section 164 of the Cr.P.C, I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Bhagwanpur P.S. Case No. 13 of 2016/ G.R. No. 207 of 2016 pending in the court of C.J.M. Kaimur at Bhabua.

However, let the trial be expedited and concluded as per the amended proviso of section 309 of the Cr.P.c.

(Jitendra Mohan Sharma, J)

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