

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 22720 of 2016**

Arising Out of PS.Case No. -220 Year- 2015 Thana -BEGUSARAI MUFFASIL District-  
BEGUSARAI

=====

Sikandar Kumar @ Kumar Sikandar Kumar, Son of Late Umesh Thakur,  
Resident of village - Malti, P.S. Phulwaria, District - Begusarai

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Nilesh Kumar, Advocate

For the Opposite Party : Mr. Anita Kumari Singh (APP)

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

3      12-07-2016                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. representing the State.

The petitioner seeks bail in connection with  
Begusarai Muffassil (Singhaul) P.S Case No. 220 of 2015  
registered for the offences punishable under Section 363 & 366 of  
the Indian Penal Code.

Allegedly, Falguni Devi, the daughter-in-law of the  
informant had gone to attend the coaching at Begusarai, but she  
did not return and her mobile was found switched off. During  
investigation, the victim was recovered and her statement has been  
recorded by the police as well as under section 164 Cr.P.C.  
wherein she has supported the allegation of kidnapping against the  
petitioner and further that the petitioner committed rape with her.

Submission is of false implication and that the victim is married and major one, she has gone out of her own sweet will but she has changed her version under pressure, she was found moving in Phulwariya market which is evident from paragraph 14 of the case diary and accordingly she was recovered. The petitioner without any fault is suffering in custody since 07.01.2016 and as such, he deserves sympathetic consideration, to which, the learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner and the statement of the victim, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected.

**(Jitendra Mohan Sharma, J.)**

Rajiv/-

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