

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41742 of 2015

Arising Out of PS.Case No. -64 Year- 2015 Thana -SOHSARAI District- NALANDA
(BIHARSHARIFF)

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1. Vicky Paswan Son of Surajbhan Paswan Resident of Mohalla -
Gallapatti, Police Station - Sohsarai, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Parmanand Pd.(App)

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

5 12-01-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 363 and 365 of the I.P.C

Allegedly, the petitioner kidnapped the minor
daughter of the informant and during investigation the victim girl
was recovered and her statement was recorded under section 164
Cr. P.C. wherein she has alleged regarding her kidnapping and
further that the petitioner used to commit rape with her during
captivity.

Submission is of false implication and that there was
love affairs between the petitioner and the victim girl resulting the

victim girl went with the petitioner out of her own will and was living with the petitioner as his wife, she was not kidnapped, during investigation Nitish Kumaar one of son-in-law of the informant has stated that the victim girl was living with the petitioner at brick kiln where father of the petitioner was working and as such the petitioner who is suffering in custody since 27.04.2015 deserves sympathetic consideration as the doctor has found the age of the victim girl 17-18 years.

The learned A.P.P. opposes prayer for bail by submitting that as per statement of the victim the petitioner has committed rape with her.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, serious in nature, this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Sohسرائ P.S. Case No. 64 of 2015 pending in the court of C.J.M. Nalanda at Biharsharif.

However, the trial court is directed to expedite the trial and to conclude the same as per the amended proviso of section 309 Cr. P.C.

(Jitendra Mohan Sharma, J)

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