

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45515 of 2015

Arising Out of PS.Case No. -115 Year- 2015 Thana -SINGHESHWARASHTHAN District-
MADHEPURA

===== Mukesh Yadav S/o Shyam Sunder Yadav Resident of Lalpatti, P.S. -
Singheshwar, District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

===== **Appearance :**

For the Petitioner/s : Mr. Bam Bahadur Jha

For the Opposite Party/s : Mr. M. Rab(App)

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

ORAL ORDER

3 05-01-2016 Heard learned counsel for the petitioner and learned counsel
representing the State.

The petitioner seeks bail in connection with Singheshwar
P.S. Case No. 115/2015 registered for the offences punishable
under Sections 366(A) of the Indian Penal Code.

Allegedly, the petitioner and other 4-5 unknown kidnapped
Rinku Kumai, the daughter of the informant with purpose to marry
her and during investigation the statement of the victim girl has
been recorded under section 164 of the Cr. P.C. wherein she has
supported the allegation of kidnapping and also the allegation of
rape against the petitioner.

Submission is of false implication and that the victim girl
was having love affairs with the petitioner and she went out of her

own sweet-will, there is contradiction in the First Information Report and the statement of the victim girl, the prosecution story appears not probable and reliable and as such the petitioner deserves sympathetic consideration to which the learned Additional Public Prosecutor opposes.

In the facts and circumstances stated above, considering that the victim girl in her statement recorded under Section 164 of the Cr. P.C. has stated, that the petitioner and other co-accused kidnapped her and further the petitioner committed rape with her and as such, the petitioner does not deserve bail and, accordingly, his prayer stands rejected.

(Jitendra Mohan Sharma, J)

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