

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49207 of 2015

Arising Out of PS.Case No. -75 Year- 2015 Thana -KHAJAULI District- MADHUBANI

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Pramod Paswan @ Pramod Kumar Paswan Son of Shri Jugati Paswan
Resident of village - Ekdara, P.S. Khajauli, District - Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 01-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Khajouli
P.S. Case No. 75 of 2015 registered for the offences punishable
under Sections 363, 366(A)/34 of the Indian Penal Code.

Allegedly, the petitioner kidnapped Pinki Kumari aged
13 years, the minor daughter of the informant. During
investigation victim was released and her statement was recorded
under Section 164 Cr.P.C. wherein, she has stated regarding
kidnapping and rape by the petitioner.

Submission is of false implication and that there was
love affairs between the petitioner and the victim girl, the victim
girl went out of her own free will but under pressure of her father

gave wrong statement under Section 164 Cr.P.C., the doctor has found her age 19 years and, as such, the petitioner who is suffering in custody since 06.07.2015, deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that the victim was kept in the house of maternal uncle of the petitioner and there petitioner established physical relation with her.

In the facts and circumstances stated above, considering the statement of the victim girl recorded under Section 164 Cr.P.C., this Court is not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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