

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50248 of 2015

Arising Out of PS.Case No. -34 Year- 2015 Thana -SANDESH District- BHOJPUR

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Jai Prakash Singh @ Rajee @ Ramjee @ Raoji, S/o RAM Ladu Singh @
Dwarika Singh, Resident of Village- Mahuli, P.S.- Pawana, District-
Bhojpur at Ara.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

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

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

3 03-02-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

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

Allegedly, Puja Kumari, the minor grand daughter of
the informant did not return from Pawana School and then after
enquiry, it reveals that the petitioner, was her private tutor and
kidnapped her. During investigation, the victim girl was recovered
and her statement has been recorded under section 164 Cr.P.C.
wherein she has stated that she was kidnapped by the petitioner
and further the petitioner forcibly committed rape with her.

Submission is of false implication and that it is a case

of love affair, the petitioner is a handicapped person, the statement of the victim girl was recorded as she was tutored by her family members. Prior to that, she has sworn affidavit that she has voluntarily performed marriage with the petitioner, the doctor has found her age between 17-19 years and further no sign of rape was found.

The learned A.P.P. opposes the prayer for bail by submitting that the victim in her statement recorded under section 164 Cr.P.C. has made serious allegation against the petitioner.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, serious and heinous in nature, this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Sandesh P.S. Case No.34 of 2015 pending in the court of Judicial Magistrate 1st Class, Bhojpur at Ara.

(Jitendra Mohan Sharma, J)

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