

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56015 of 2015

Arising Out of PS.Case No. -207 Year- 2002 Thana -KISHANGANJ District- KISANGANJ

=====

1. Saiful Son of late Majmuddin resident of Village- Himmat Nagar, P.s
Kochadhaman,Dist- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha

For the Opposite Party/s : Mr. Iftekhar Mahmood (App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 11-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with
Kishanganj P.S. Case No. 207 of 2002 registered for the offences
punishable under Sections 364, 120 (B) of the Indian Penal Code.

Allegedly, the petitioner took away Najmin the
daughter of the informant to get her statement recorded before S.P
but made her traceless. During investigation the victim girl was
released and her statement has been recorded under Section 164
Cr.P.C. wherein she has stated that during captivity the petitioner
committed several times rape with her.

Submission is of false implication and that the victim
girl is in-habit in-lodging false cases, earlier also the victim has

lodge case being complaint case No. 746 of 2001 the petitioner is aged about 67 years, he has got no knowledge about this case as he used to reside at Delhi, victim was trying to marry with Bhanja of the petitioner which he opposed resulting his false implication and as such the petitioner who is suffering in custody since 29.8.2015 deserves sympathetic consideration to which the learned A.P.P. opposes the prayer of bail.

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

(Jitendra Mohan Sharma, J)

siddharth/-

U		T	
---	--	---	--