

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57539 of 2015

Arising Out of PS.Case No. -177 Year- 2015 Thana -SAUR BAZAR District- SAHARSA

=====

Md. Tashlim S/o Md. Samsul, Resident of Village- Arraha, P.S. + District-
Madhepura.

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj
For the Opposite Party/s : Mr. Rajendra Singh Shastrijee(App)

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

4 03-03-2016 Permission is granted to the learned counsel for the

petitioner to make necessary correction in paragraph no. 1 of the

bail application.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is accused in connection with Sour
Bazar P.S. Case No.177 of 2015 registered under sections 366(A)
and 376 of the I.P.C. and Section 4 of the POSCO Act pending in
the Court of Judicial Magistrate, 1st Class, Saharsa.

The accusation is of kidnapping of Kajal Kumari,
minor niece of the informant Chandar Kamat, by the petitioner
with intention to perform the marriage while petitioner is a
married man, having two children.

Learned counsel appearing on behalf of the petitioner submits that while the victim in her statement recorded under section 164 Cr. P.C. has stated about her kidnapping by this petitioner and committing rape but later on, she has filed an application in the Court below to the effect that her statement has been recorded under the pressure of Police.

Learned A.P.P. opposed the prayer of the petitioner with submission that the age of the victim has been assessed in 14 to 16 years and she has specifically stated about kidnapping and committing rape by the petitioner

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, prayer of the petitioner for bail is rejected.

(Rajendra Kumar Mishra, J.)

Shail/-

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