

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8912 of 2016

Arising Out of PS.Case No. -43 Year- 2015 Thana -MARAUNA District- SUPAUL

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1. Ram Sah Son of Late Debu Sah, resident of village- Sisoni, P.s.-
Marauna, District- Supaul.... Petitioner
Versus
1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Jha
For the Opposite Party/s : Mr. Awadhesh Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 22-04-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Marauna P.S.
Case No. 43 of 2015 registered for the offences punishable under
Sections 366A, 372/34 of the Indian Penal Code.

Allegedly, Sangeeta Kumari aged 13 years, the daughter
of the informant, went for cutting grass on 10.03.2015 but she did
not return till evening and then on inquiry it was revealed that the
petitioner and some unknown had kidnapped her. During
investigation the victim girl was recovered, she in her statement
recorded under Section 164 Cr.P.C. has supported the allegation of
kidnapping by the petitioner and others and further she has stated
that she was rapped by the petitioner and co-accused and further
both sold her for Rs. 1,00,000/-.

Submission is of false implication and that the FIR has been lodged after three days, due to previous enmity the petitioner has been implicated, the version of the victim girl appears not reliable and without any legal and tangible material the petitioner is suffering in custody since 17.06.2015, investigation has already been completed and as such he deserves sympathetic consideration to which learned APP seriously opposes.

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

However, considering the detention of the petitioner, let the trial be expedited and concluded as per amended proviso of Section 309 of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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