

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39832 of 2016

Arising Out of PS.Case No. -89 Year- 2016 Thana -BODHGAYA District- GAYA

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1. Sri Ram Paswan Son of Krishna Paswan resident of Village- Dhandhwa
Police Station Bodh Gaya District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramashish

For the Opposite Party/s : Mr. Ramchandra Sahani

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 01-12-2016 Heard both sides.

The petitioner seeks bail in Bodh Gaya P.S. case No.
89 of 2016 under Section 363, 366A of the Indian Penal Code.

Karu Rajak, the informant, alleged that his niece,
Pummi Kumari, went to market to purchase vegetables along with
her minor brother, Karan Rajak. Sri Ram Paswan, the petitioner,
and Krishna Paswan kidnapped the victim after assaulting Karan
Rajak.

Sri Pramod Kumar Singh, the learned counsel for the
petitioner, submits that victim made her statement under Section
164 of the Cr. P. C. but she did not complain about any ill
treatment at the hands of the petitioner. The victim is well
acquainted with the petitioner from before. On the next date of



occurrence the victim was found loitering at Gaya railway station.

The petitioner is in jail since 03.07.2016.

It appears that victim is a minor girl and she disclosed in her statement under Section 164 of the Cr. P. C. that petitioner forcibly kidnapped her after putting some intoxicant in her mouth. On the next date she found herself at Gaya railway station and she came to her house. The victim, of course, did not make any complain about the ill treatment but the petitioner kidnapped her by putting intoxicant in her mouth. Hence, I am not inclined to enlarge the petitioner on bail at this stage. Accordingly, the same is rejected. The petitioner may renew his prayer for bail after remaining nine months in custody.

(Prabhat Kumar Jha, J)

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