

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48503 of 2015

Arising Out of PS.Case No. -137 Year- 2015 Thana -ITADHI District- BUXAR

Arvind Ram Son of Suresh Ram, Resident of Village- Kritpura, Police Station- Buxar (M), District- Buxar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy

For the Opposite Party/s : Mr. Ajay Kumar No.1(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 25-01-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Itarhi P.S. Case No. 137 of 2015 registered for the offences punishable under Sections 363, 366(A)/34 of the Indian Penal Code.

Allegedly, the petitioner was having bad intention and he with three co-accused kidnapped the victim. During investigation the victim returned to her home and her statement was recorded under Section 164 Cr.P.C, wherein she stated that she was kidnapped by four persons but she was dropped at the bus-stop by her kidnapper, she also states that bad work has also been done with her after causing threats.

Submission is of false implication and that the victim

went out of her own sweet will, she was having love affairs with the petitioner and she went for the purpose of marriage, no offence as alleged is made out, co-accused Dharmendra Ram has already been allowed bail and such the petitioner also deserves sympathetic consideration to which the learned A.P.P. opposes by submitting that the victim was sexually assaulted by the petitioner also.

In the facts and circumstances stated above, considering that the victim is minor and she was kidnapped by the petitioner with aid and assistance of other co-accused and further she was also sexually assaulted, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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