

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58460 of 2015

Arising Out of PS.Case No. -430 Year- 2013 Thana -GAYA KOTWALI District- GAYA

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1. Sharwan Kumar Son of Shiv Shankar Yadav @ Shankar Yadav R/o
Mohalla-Bangala Sathan, P.S. Kotwali, District Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena

For the Opposite Party/s : Mr. D.P.Tiwary(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 24-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Kotwali
P.S. Case No. 430 of 2013 registered for the offence punishable
under Section 366(A) of the Indian Penal Code.

Allegedly, Puja Rani, aged 14 years was kidnapped
when she has gone to school and thereafter through mobile
no.7870137349, a call came but the same was not attended and
when the informant again made call on that mobile then it was
informed that after half an hour he will allow the girl to talk but
thereafter that mobile was switched off. During investigation, the
victim girl was released and her statement has been recorded
under Section 164 Cr.P.C, wherein, she has named that petitioner

and other kidnapped her and further the petitioner developed sexual relationship with her.

Submission is of false implication and that the informant has filed a compromise petition in the court below stating innocence of the petitioner, the victim girl was found aged between 18-19 years during medical examination and further medical evidence does not support the allegation of rape.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that the victim girl in her statement has stated regarding the allegation of kidnapping and rape against the petitioner and as such at present this Court is not inclined to enlarge the petitioner on bail and accordingly, his prayer stands rejected.

However, the petitioner may renew his prayer for bail after examination of victim girl during trial.

(Jitendra Mohan Sharma, J)

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