

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53830 of 2015

Arising Out of PS.Case No. -62 Year- 2015 Thana -MOTIPUR District- MUZAFFARPUR

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RAM BABU SAHNI S/O NATHUNI SAHNI, Resident of village
Kamrauli. Police Station- Simri, District- Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Prabhakar Jha

For the Opposite Party/s : Mr. A.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 18-01-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Motipur P.S.
Case No. 62 of 2015 registered for the offences under Sections
366(A), 376, 120 (B)/34 of the Indian Penal Code.

Allegedly, Nitu Kumar, the daughter of the
informant, was kidnapped and the petitioner committed rape with
her which is evident from the statement of victim recorded under
Sections 161 and 164 of the Cr.P.C.

Submission is of false implication and that the love
affairs was going on between the petitioner and the victim, the
victim is major one and as such no offence under Section 376 IPC
is made out, the victim has named the petitioner under pressure

resulting the petitioner is suffering in custody since 02.07.2015.

Learned A.P.P. opposes the prayer of bail by submitting that the petitioner has committed rape with her.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner serious in nature, 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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