

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31345 of 2016

Arising Out of PS.Case No. -10 Year- 2016 Thana -UJIYARPUR District- SAMASTIPUR

1. Ram Lakhan Chaurasia @ Lakhan Kumar Son of Ajeet Chaurasia@Magnu Resident of Village- Pataili, P.S. Ujiarpur, District Bhagalpur. Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 08-09-2016

Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Ujiarpur P.S. Case No. 10 of 2016 registered for the offence punishable under Section 366 of the Indian Penal Code.

Allegedly, the petitioner kidnapped Rani Devi. During investigation the statement of the victim was recorded under Section 164 Cr.P.C. wherein she has supported the allegation against the petitioner that he forcibly kidnapped and committed rape with her also.

Submission is of false implication and that in the first information report there is allegation that on motorcycle the petitioner picked up the victim whereas the victim has stated that on Bolero vehicle she was kidnapped, there is material

contradiction in the statement. As a matter of fact the petitioner and the victim both have performed marriage out of their own sweet will and consent and as such the petitioner deserves sympathetic consideration to which the learned APP seriously opposes.

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