

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1778 of 2017

Arising Out of PS.Case No. -140 Year- 2016 Thana -DHAMDHAHA District- PURNIA

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Gopal Mandal @ Gopal Roy, son of Chamo Patel @ Chano Mandal, R/o
Village- Satish Nagar, P.S.- Pasraha, District- Khagria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 16-03-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Dhamdaha
P.S. Case No.140 of 2016/G.R. No.2357 of 2016 registered under
Sections 363 and 366/34 of the Indian Penal Code, pending in the
court of the Chief Judicial Magistrate, Purnea.

The accusation is of calling the daughter of the
informant by this petitioner and one Baleshwar and forcibly
boarding her on a vehicle.

Learned counsel appearing on behalf of the petitioner
submits that, in fact, there was love affair in between Baleshwar
and the daughter of the informant and this petitioner has falsely



been implicated in this case. The petitioner having no criminal antecedent is in custody since 18.09.2016.

From perusal of the order dated 05.11.2016 passed in B.P. No.1053 of 2016/C.I.S. 858 of 2016 by the 5th Additional Sessions Judge, Purnea, whereby the prayer of the petitioner for grant of bail was rejected, it appears that the victim, the daughter of the informant, in her statement, as recorded under Section 164 of the Code of Criminal Procedure, has stated about her kidnapping by this petitioner and Baleshwar and also committing rape on her.

Having regard to the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant bail to the petitioner. Accordingly, the prayer of the petitioner for grant of bail stands rejected.

(Rajendra Kumar Mishra, J)

P.S./-

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