

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13871 of 2017

Arising Out of PS.Case No. -89 Year- 2016 Thana -DAGARUA District- PURNIA

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Md. Dilkash, son of Sakir, resident of Chhapraily, P.S.- Dagaruwa, District-
Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-03-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Dagaruwa P.S.Case No. 89 of 2016 registered for the offences punishable under Sections 363 and 366A of the Indian Penal Code.

It has been submitted on behalf of the petitioner that though petitioner is named in the FIR but later on in the statement under Section 164 Cr.P.C. of the victim girl before police she has stated that she had gone on her sweet will and only name of the petitioner has taken and no overt act has been alleged against the petitioner and petitioner is in custody since 6.12.2016.

Heard learned APP also.

Having heard both sides and in view of the statement



of the victim girl under Section 164 Cr.P.C., I am not inclined to grant bail to the petitioner at this stage. Prayer for bail is rejected.

However, considering the fact that petitioner is in custody, learned trial court is directed to conclude the trial of the petitioner and petitioner may renew his prayer for bail before the court below itself after examination of the victim girl in the court itself.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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