

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15261 of 2017

Arising Out of PS.Case No. -31 Year- 2017 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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AMODH KUMAR @ AMODH SHARKAR S/o Sri Bhushan Sharma R/v
Asta, P.S. Tharthari, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-05-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Bihar P.S.Case No. 31 of 2017 registered for the offences punishable under Sections 366A/34 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping the victim girl and later on she was recovered from a hotel.

It has been submitted on behalf of the petitioner that the statement of the victim girl recorded under Section 164 Cr.P.C. shows that she is a consenting party as she has stated that in the hotel she was provided lunch and thereafter she was taken to Mahavir Temple where petitioner married her, who is major, and further she has not made any allegation of rape or anything else against the petitioner and for that petitioner is in custody for more



than three months.

Heard learned APP also, who has opposed the prayer for bail stating that petitioner is named in the FIR and in her statement under Section 164 Cr.P.C. she has stated that she was given chocolate and thereafter she became unconscious and also in her statement she has stated her age as 16 years.

Having heard both sides and in view of nature of allegation, I am not inclined to grant bail to the petitioner.

However, learned trial court is directed to expedite the trial and try to conclude it within a period of nine months. If trial is not concluded within the said period, petitioner may renew his prayer for bail.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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