

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25373 of 2017

Arising Out of PS.Case No. -52 Year- 2016 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Lal Kishore Singh, son of Late Sri Narayan Singh, resident of Village-
Gonahi, P.S.- Patahi, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Kanhaiya Kishore

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Patahi P.S.
Case No. 52/16 for offences punishable under Sections 366-A and
34 of the Indian Penal Code.

The prosecution case, as lodged by the sister of the
victim girl Nidhi Kumari, is that while her mother and father had
gone to Bokaro for medical treatment, she had gone for teaching
and her sister was alone in the house, the petitioner along with
other co-accused on false pretext of marriage has taken her away.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and has



falsely been implicated in the aforesaid case. He submits that the victim girl was missing since 16.04.2016, but First Information Report has been lodged after inordinate delay without any plausible explanation. It is submitted that the victim girl has not alleged any overt act against the petitioner and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail stating therein that the victim girl Nidhi Kumari in her statement under Section 164 Cr.P.C. has stated that she was administered intoxicant and taken away by the petitioner and sold in Delhi for a hefty sum to one Raj Kumar, which shows complicity of the petitioner in the aforesaid offence.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Patahi P.S. Case No. 52/2016, pending in the court of learned Chief Judicial Magistrate, East Champaran at Motihari.

Application is, accordingly, rejected.

(Nilu Agrawal, J)

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