

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26724 of 2017

Arising Out of PS.Case No. -209 Year- 2014 Thana -JAHANABAD District- JEHANABAD

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Pradeshi Manjhi, son of Suresh Manjhi, resident of Village- Babhana, P.S.-
Jehanabad, District- Jehanabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gauri Shankar Prasad

For the Opposite Party/s : Mr. Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 26-07-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Jehanabad P.S.Case No. 209 of 2014 registered for the offences
punishable under Sections 366A and 120B of the Indian Penal
Code.

Allegation against the petitioner is that he along with
others has kidnapped the victim girl and thereafter forcibly
married her and committed rape upon her and the girl appears to
be minor and she has also supported the prosecution case in her
statement under Section 164 Cr.P.C.

It has been submitted on behalf of the petitioner that
no case is made out against the petitioner under Section 366A IPC
and so far commission of rape is concerned, the story of rape is



falsified by Annexure-2, which is an affidavit of the girl sworn before Notary Public. Further submission is that doctor has found no sign of rape on the person of victim.

Heard learned APP also, who has opposed the prayer for bail.

Having heard both sides and from perusal of FIR and 164 Cr.P.C. statement it appears that there is allegation of committing rape and forcibly marry her and Annexure-2 has no evidentiary value at present, prayer for bail is rejected.

However, learned trial court is directed to expedite the trial of the petitioner.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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