

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.19215 of 2017**

Arising Out of PS.Case No. -9 Year- 2016 Thana -MAHARAJGANJ District- SIWAN

=====

Rajan Sah, S/o Late Prem Chand Sah, Resident of Village- Ramapali, P.S.-  
Maharajganj, District- Siwan.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Manoj Kumar, Advocate

For the Opposite Party : Smt. Sharda Kumari (APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**  
**ORAL ORDER**

6      05-07-2017                      Heard learned counsel for the petitioner and learned  
counsel representing the State.

The petitioner seeks bail in connection with S.Tr. No.  
20 of 2017 arising out of Maharajganj P.S Case No. 09 of 2016  
registered for the offence punishable under Section 366/34 of the  
Indian Penal Code.

Allegedly, the petitioner and other two co-accused  
named in the F.I.R. kidnapped the daughter of the informant and  
during investigation, the victim lady returned from the custody of  
the petitioner and others and gave her statement under Section 164  
of the Cr.P.C. wherein she has stated regarding her kidnapping and  
also that the petitioner and two others committed rape with her for  
three months, resulting, she is pregnant of about one and half



months.

Submission is of false implication and that the petitioner is in custody since 25.11.2016, F.I.R. has been lodged after delay of about one month. The petitioner has been made victim of the circumstances, the prosecution story appears not probable and reliable, the statement of the victim lady is afterthought and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P seriously opposes the prayer of bail.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with S.Tr. No. 20 of 2017 arising out of Maharajganj P.S Case No. 09 of 2016, pending in the court of learned Additional District and Sessions Judge-III, Siwan.

**(Jitendra Mohan Sharma, J.)**

Rajiv/-

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