

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42727 of 2017

Arising Out of PS.Case No. -63 Year- 2016 Thana -BASNAHI District- SAHARSA

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1. Suresh Mukhia Son of Late Mukhia, R/o village- Bargoan, P.S.-
Basnahi, District- Sahara.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-10-2017 The petitioner seeks regular bail in connection with

Basnahi P.S. Case No. 63 of 2016, registered for offences

punishable under Sections 366A/34 of Indian Penal Code.

Allegation against the petitioner that he kidnapped the
daughter of the informant and handed over her to other accused
persons of this case, who committed rape on her and confined her
in Jalandhar for two months.

It has been submitted on behalf of the petitioner that he
has falsely been implicated in this case and no specific allegation
has been made and he is next door neighbour of the informant.
Further he has been in judicial custody since 13.05.2017.

Learned counsel for the State and learned counsel for the
informant opposed the prayer for bail and submitted that the girl in



her statement recorded under Section 164 Cr.P.C. has clearly stated that this petitioner with the help of his wife had kidnapped her and handed over her to other accused persons.

Having heard both sides, considering the fact and circumstances of the case and serious nature of allegation, I am not inclined to release the petitioner on bail, his application for regular bail is, accordingly, rejected.

However, petitioner may renew his prayer for bail after substantial progress in trial before the trial court itself and if any such application is filed the trial court after considering the materials available at that time, shall pass an appropriate order, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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