

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36716 of 2017

Arising Out of PS. Case No.-153 Year-2015 Thana- SANGRAMPUR District- East
Champanan

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Manoj Sah Son of Banarsi Sah, R/o Barai Tola, P.S.- Sangrampur, District-
East Champanan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma
For the Opposite Party/s : Mr. SRI SUNIL KUMAR PANDEY

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 10-08-2017

Heard learned counsel for the parties.

The Petitioner who is in custody since 20.03.2017,
seeks bail in connection with Sangrampur **P.S. Case No. 153 of 2015**
registered for the offence punishable under Sections 366(A), 504/34
of the Indian Penal Code.

The allegation against the petitioner is of
kidnapping the minor daughter of the informant.

It has been submitted on behalf of the petitioner
that the petitioner is innocent and has been falsely implicated in this
case. Learned counsel for the petitioner submits that there is delay of
three days in lodging the FIR. It has been further submitted that the
co-accused Banarsi Sah has been granted bail by a co-ordinate bench
of this Court vide order dated 16.09.2016 in Criminal Miscellaneous



No. 32202 of 2016.

Informant is the father of the victim girl Prema Kumari, whose age has been determined as fifteen and a half years- sixteen and a half years by the Medical Board. The statement of the victim girl Prema Kumari has been recorded under Section 164 of the Cr.P.C on 23.11.2015, in which she has alleged that while she was returning on 07.11.2015 accused petitioner-Manoj Sah placed sedative handkerchief, as a result she became unconscious and when she gained consciousness she found two friends of accused-petitioner were raping her. Thereafter, she was again injected sedative injection and lost her consciousness again.

Considering the nature of allegation levelled against the petitioner, I am not inclined to enlarge the petitioner on bail.

The prayer for bail of the petitioner is hereby rejected.

(S. Kumar, J)

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