

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53958 of 2016

Arising Out of PS.Case No. -137 Year- 2016 Thana -KHARIK District- BHAGALPUR

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1. Vikash Kumar Sharma Son of Arun Sharma Resident of Village-
Mareyar, P.S. Parbatta, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 27-01-2017 The petitioner is in custody since 24.09.2016 in connection with Kharik P.S. Case No. 137 of 2016, registered for offences punishable under Section 366(A)/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that though the girl in her statement recorded under Section 164 of the Cr.P.C. has stated petitioner's involvement in her kidnapping, however in her statement recorded under Section 161 of the Cr.P.C. before the Police, she has not stated anything about the petitioner. It has further been submitted that the petitioner has been languishing in judicial custody since 24.09.2016.

Heard learned A.P.P. also.

In this case a report was called for from the court below



and the court below has submitted a report from which it appears that the case is pending for want of appearance of co-accused, who happens to be the father and mother of the petitioner. Apart from the above, it appears from the perusal of materials available on record, that there is direct allegation against the petitioner for abducting the girl and the girl in her statement recorded under Section 164 Cr.P.C. has also named this petitioner, hence I am not inclined to grant the petitioner, the privilege of bail, it is accordingly rejected.

(Vinod Kumar Sinha, J)

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