

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51902 of 2016**

Arising Out of PS.Case No. -149 Year- 2016 Thana -BARSOI District- KATIHAR

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MD. SHAKIL @ SAKIL, SON OF SK. SIDDIQUE RESIDENT OF  
VILLAGE - JITWARPUR, POLICE STATION AZAMNAGAR,  
DISTRICT - KATIHAR

.... .... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... .... OPPOSITE PARTY/S

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**Appearance :**

For the Petitioner/s : Mr. Najeeb Ahmad, Adv.

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI**  
**ORAL ORDER**

4      10-02-2017                      Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor.

A minor was induced and then kidnapped along with  
ornaments as well as cash appertaining to rupees one lac and  
further being captive she was ravished by three persons.

It has been submitted on behalf of petitioner that  
there happens to be long delay in instituting the case. Apart from  
this, it has also been submitted that there was love affair in  
between the victim along with Imran. It has further been submitted  
that in the complaint petition /written report there happens to be  
specific disclosure with regard to carrying her to Delhi but during  
course of statement under Section 164 Cr.P.C., she had confined  
herself at Katihar so, there happens to be inconsistency in her own  
statement. Furthermore, it has also been submitted that petitioner  
happens to be under custody since 24.09.2016.



The learned Additional Public Prosecutor opposed the prayer.

Admittedly victim is a minor and the medical report suggests that she was ravished. Furthermore, it is also apparent that victim happens to be illiterate, so her presence at the Delhi or at Katihar became immaterial in the background of the fact that she was confined in a room where she remained captive for quite long period and during course thereof, she was raped by three persons.

That being so, prayer for bail is rejected.

**(Aditya Kumar Trivedi, J.)**

Prakash Narayan

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