

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49334 of 2016**

Arising Out of PS.Case No. -95 Year- 2015 Thana -MAHILA P.S. District- SIWAN

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1. Rustam Mian @ Sannu Mian @ Rustam Ali Son of Bhola Ansari resident  
of Village- Gambir Hatha, P.S.- Jamo Bazar, District- Siwan.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Smt. Madhuri Lata

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      27-01-2017                      The petitioner is in custody since 29.04.2016 in  
connection with Siwan Mahila P.S. Case No. 95 of 2015,  
registered for offences punishable under Sections 363, 366A and  
34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that there  
is a delay in lodging of the F.I.R. and the girl out of her own sweet  
will had gone with the petitioner and only on account of pressure  
of her parents, she denied this fact. However the parties have  
compromised the present matter and the petitioner has been  
languishing in judicial custody since 29.04.2016.

Heard learned A.P.P. also. He has brought my attention  
towards the statement of victim girl u/s 164 of the Cr.P.C, in  
which she has named this petitioner as the person who had



kidnapped and raped her.

Having heard both sides, considering the aforementioned facts and circumstances of the case and materials collected during the course of investigation, I am not inclined to grant the petitioner, the privilege of bail, it is accordingly rejected.

However petitioner may renew his prayer for bail after examination of informant as well as the victim girl in this case.

**(Vinod Kumar Sinha, J)**

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