

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54795 of 2016

Arising Out of PS.Case No. -165 Year- 2015 Thana -BARSOI District- KATIHAR

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Vikash @ Bikash @ Bikash Kumar Rai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Firoz Ahmad

For the Opposite Party/s : Mr. Sri Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 13-02-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence under Sections-366/34/120B of the Indian Penal Code.

It has been submitted that the petitioner is not named in the written report. There is allegation in the written report that the daughter of the informant was kidnapped by co-accused Holiya Shil and other accused named in the written report. It is also alleged in the written report that earlier also, co-accused Holiya Shil had kidnapped the daughter of the informant for the illegal act and had also given threat. The victim girl was recovered and her statement u/S 164 of the Cr. P.C. was recorded. In the statement recorded u/S 164 of the Cr. P.C. the victim has named Holiya Shil and the petitioner also. It has also been stated that this petitioner made physical relationship with the victim.



Learned Addl. P.P. submitted that the injury report of the victim girl is available and from perusal of paragraph-50 of the case diary, it appears that the doctor has found no physical injury either on her private part or any other part. It has further been submitted that during examination of vaginal swab, spermatozoa was not found. The petitioner is said to be in custody since 16-11-2016. It is mentioned at paragraph-3 of the petition that the petitioner has got no criminal antecedent.

Considering the above-said facts and circumstances of the case, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Barsoi P.S. Case No. 165 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Katihar subject to condition that both the bailors will be close relatives of the petitioner.

(Sanjay Priya, J)

A.K.V./-

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