

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3405 of 2017

Arising Out of PS.Case No. -90 Year- 2013 Thana -HATHAURI District- SAMASTIPUR

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Raushan Poddar, s/o Dinesh Poddar, Village and P.S. – Baheri, District -
Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Adv.

For the Opposite Party/s : Mr. Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 22-02-2017

Heard both sides.

The petitioner seeks bail in Hathauri P.S. Case No. 90/2013, registered for the offences punishable under Sections 366, 376 and 120B of the Indian Penal Code.

Learned counsel for the petitioner submits that prayer for bail of the petitioner was earlier rejected vide order dated 13.04.2015, but during the course of trial three witnesses including the mother-in-law of the victim have been examined, even the mother-in-law of the victim has not supported the case of the prosecution. The petitioner is alleged to have kidnapped the victim from the house of her husband and therefore, the story of kidnapping from the house of her husband is doubtful.

Considering the facts aforesaid and the fact that the victim made specific allegation that the petitioner kidnapped her



and kept her at different places and committed rape with her, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

The petitioner may renew his prayer for bail after examination of the victim.

(Prabhat Kumar Jha, J.)

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