

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55727 of 2016

Arising Out of PS.Case No. -434 Year- 2015 Thana -ARARIA District- ARRARIA

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1. Hairat. Son of Furkan, Resident of Village- Laxmanpur, Purandaha,
Police Station- Simraha (Forbesganj), District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anamul Haque

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 12-01-2017 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 366 and 376/34 of the I.P.C

Allegedly, the petitioner and other FIR named accused
persons kidnapped the informant and raped her, further they kept
her confined after administering intoxicant and also snatched her
mobile, they kept her at Delhi, however, Delhi police rescued her
and informed her parents and then she came back and lodged this
case.

Submission is of false implication and that the
petitioner has married with the informant and she is living in the
matrimonial house and out of the wedlock there is son also and as



such the petitioner deserves sympathetic consideration.

The learned A.P.P. submits that the informant in her statement recorded under section 164 of the Cr.P.C. has supported the allegation.

In the facts and circumstances as stated above, considering the statement of the victim girl recorded under section 164 of the Cr.P.C, I am not inclined to release the petitioner on bail and accordingly his such prayer stands rejected in connection with Araria R.S. P.S. Case No. 434 of 2015 pending in the court of the C.J.M. Araria.

However, the petitioner may renew his prayer for bail after examination of the victim girl during trial.

(Jitendra Mohan Sharma, J)

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