

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48837 of 2017

Arising Out of PS.Case No. -298 Year- 2017 Thana -RAJAUN District- BANKA

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Amir Kumar @ Amir Harijan, Son of Shrawan Harijan, Resident of
Village- Amhara, P.S.- Rajoun, District- Banka.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Amrendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 14-11-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Rajoun
P.S.Case No. 298 of 2017 registered for the offences punishable
under Sections 363 and 365 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping and
committing rape upon informant.

Submission of learned counsel for the petitioner is that no
such occurrence has taken place and as a matter of fact they were
in love affairs and she has married with the petitioner. Further
submission is that due to pressure of her family members she has
stated against the petitioner in her statement under Section 164
Cr.P.C. and he is in custody since 4.7.2017.

Heard learned APP also.



Having heard both sides and in view of facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner.

However, learned court below is directed to commit the case to the court of sessions and once the case is committed and the evidence of victim is recorded, the petitioner will be at liberty to renew his prayer for bail before the trial court itself, which will be considered on that basis of materials available on record at that time and he will pass an appropriate order.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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