

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52542 of 2017

Arising Out of PS.Case No. -126 Year- 2017 Thana -BIHPUR District- BHAGALPUR

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Pandav Kumar, Son of Narayan Mandal, Resident of Village – Lattipur,
P.S.-Bihpur, District-Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Naresh Chandra Verma, Advocate.

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

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

3 12-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Sessions Trial No. 737
of 2017 arising out of Bihpur P.S. Case No. 126 of 2017 registered
under Sections 363 and 366A of the Indian Penal Code.

Petitioner along with other accused persons is said to
have kidnapped the minor daughter of the informant with intention
to perform marriage with her.

It is submitted by learned counsel for the petitioner
that the victim happens to be major and she has herself eloped
with the petitioner. The petitioner has been languishing in custody
since 18.04.2017.

From perusal of the case diary, it appears that the
age of the victim was recorded by the learned Magistrate as 19



years while the victim has deposed her age as 18 years, but in her statement she has specifically stated that the petitioner taking her to Bhawanipur kept her in a house and committed rape against her.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

(Prakash Chandra Jaiswal, J)

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