

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50442 of 2017

Arising Out of PS.Case No. -161 Year- 2017 Thana -BHARGAMA District- ARRARIA

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Sanjay Yadav S/o Suresh Yadav, R/o Village-Dhangara, Ward no. 9, P.S.
Bhargama, District-Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Bhargama P.S. Case no. 161 of 2017 registered for the offence
punishable under Sections 366(A)/34 of the Indian Penal Code.

The petitioner is said to have kidnapped the
daughter of the informant forcibly in association with his
associates with intention to perform marriage with her.

It is submitted by the learned counsel for the
petitioner that there is no overt act against the petitioner. The
victim in her statement recorded under Section 164 of the Cr.P.C.
has also not stated about her kidnapping by the petitioner for the
purpose of marriage. The petitioner has been languishing in
custody since 22.07.2017.



From perusal of statement of the victim recorded under Section 164 of the Cr.P.C., it appears that she is minor and she has candidly stated that the petitioner has kidnapped her forcibly by gagging her mouth, kept in the room and locked for four days.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail at this stage. The prayer is rejected.

However, the learned lower court is directed to conduct and conclude the trial as expeditiously as possible preferably within six months from the date of receipt/production of a copy of this order. In case of not conclusion of the trial within stipulated period, the petitioner will be at liberty to renew his prayer for bail.

(Prakash Chandra Jaiswal, J)

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