

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26487 of 2017

Arising Out of PS.Case No. -154 Year- 2014 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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1. Indrajeet Rai, son of Chandeshwar Rai, resident of Village- Hilalpur,
Police Station- Industrial Area Hajipur in the District of Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Sri Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 11-07-2017 The petitioner seeks regular bail in connection with

Bidupur P.S. Case No. 154 of 2014, registered for offences

punishable under Sections 363 and 366A of Indian Penal Code.

Allegation against the petitioner and other co-accused of

this case is of kidnapping the minor girl of the informant and

committing rape on her.

It has been submitted on behalf of the petitioner that from

perusal of the case diary itself, it will appear that after the alleged

occurrence, the girl was pondering in the market and, thereafter,

her father took her to his house and after some days, statement of

the girl was recorded under Section 164 Cr.P.C., in which she

named this petitioner, which itself shows the falsity of prosecution

case. It has further been submitted that as a matter of fact the girl



was in relationship with one Vicky Kumar and has eloped with her and after coming to the house, she under pressure of her guardians has named the petitioner and further medical report also does not support the case of the prosecution. Petitioner has been in judicial custody since 27.03.2017.

Learned counsel for the State opposed the prayer for bail and submitted that the girl is minor as she is only 14 years of age and she in her statement recorded under Section 164 Cr.P.C. has made allegation of rape against the petitioner.

Having heard both sides, considering the facts and circumstances of the case, nature of allegation and also the statement of girl recorded under Section 164 Cr.P.C., I am not inclined to release the petitioner on bail, his application for regular bail, is accordingly, rejected.

However, the trial court is directed to expedite the trial and try to conclude it as soon as possible and further the petitioner may renew his prayer for bail after examination of victim girl and informant in this case.

(Vinod Kumar Sinha, J)

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