

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 55453 of 2017

Arising Out of PS. Case No.-78 Year-2016 Thana- Pusa District- Samastipur

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Surendra Kumar Singh, son of Late Nathuni Singh, resident of Village-
Kon Wajitpur, P.S.- Samastipur (Mufassil), District- Samastipur. At present
resident of Village- Bhorsand, P.S.- Pusa, District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. Y.C.Verma, Sr.Adv. Mr. Surendra Kumar Mishra
For the Opposite Party/s :		Mr. Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 20-11-2017 Heard Sri Y.C.Verma, learned senior counsel assisted by

Sri Surendra Kumar Mishra, learned counsel for the petitioner

and learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since 12-08-2017
in Pusa P.S. Case No. 78 of 2016 registered for offence under
Sections 364/366(A)/34 of the Indian Penal Code, has prayed
for grant of bail.

Sri Verma, learned senior counsel tried to persuade the
Court that in the trial of co-accused, the victim girl was
examined, but she had not corroborated the allegation, which
has been made in the present case and he tried to persuade the
Court to rely on such evidence to extend the privilege of bail to
the petitioner.

Learned Addl. Public Prosecutor has referred to F.I.R. of



the present case as well as statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure, 1973 and submits that there is specific case of involvement of the petitioner, in which, a minor girl was kidnapped and she was carried to Howrah and only after arrest of one of the accused during investigation, the girl was dropped at Barauni Station.

Besides hearing, I have also perused the materials on record. So far as submission of learned senior counsel for the petitioner that in the trial of co-accused, victim had not supported the prosecution case is concerned, the Court is of the opinion that such material may not be looked into in the present case, that too at this stage. Moreover, in the F.I.R. as well as statement of the victim recorded under Section 164 of the Cr.P.C., there is specific material showing involvement of the petitioner.

Considering the seriousness of the accusation and material on record showing involvement of the petitioner, I do not find any ground to grant bail.

Dismissed.

(Rakesh Kumar, J.)

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