

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46941 of 2016

Arising Out of PS.Case No. -110 Year- 2016 Thana -KHAIRA District- SARAN

=====

Kapil Singh @ Kapildeo Singh Son of Late Hikiayat Singh Resident of
Village- Chitarauli, P.S.- Khaira, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Adv.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 13-01-2017 Heard both sides.

The petitioner apprehends his arrest in Khaira P.S.
Case No. 110/2016, registered for the offences punishable under
Sections 366A and 120B of the Indian Penal Code.

The informant alleged that the petitioner kidnapped
her daughter Rinku Kumari.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the case on account of
enmity. The victim in her statement under Section 164 of the
Cr.P.C. stated that she was sent to Delhi after administering
intoxicating article. She further alleged that the petitioner
committed wrong deeds with him while she was unconscious, but
the doctor did not find any sign of rape on the victim. The victim



was consenting party. She stated in her statement in para 27 of the case diary that according to the plan she went to the house of the petitioner along with him. Kapil Singh got down from the train and she went to Delhi. The doctor assessed the age of the victim to be 18 years. The mother of the victim also disclosed that her daughter was 18 years old, but it appears the victim in her statement under Section 164 of the Cr.P.C. disclosed that petitioner administered intoxicating substance and she became unconscious. The petitioner committed wrong deed with her.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, learned court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced by this order and dispose of the bail petition preferably on the same day.

(Prabhat Kumar Jha, J.)

Vinita/-

U		T	
---	--	---	--

