

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5392 of 2018

Arising Out of PS.Case No. -91 Year- 2017 Thana -VIDYAPATINAGAR District- SAMASTIPUR

1. Manoj Rajak S/o Parmeshwar Rajak @ Parmanand Rajak, R/o Village-
Ramaiya, P.S.- Mohiuddinnagar, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Amrendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 16-03-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody in connection with
Vidyapati Nagar P.S. Case No.91 of 2017, a case under Section
363/366A/34 of the Indian Penal Code, pending in the Court of
learned Additional Chief Judicial Magistrate, Dalsinsarai,
Samastipur.

Petitioner is in custody since 19.09.2017. Allegation
is that he kidnapped to the minor daughter of the informant. The
victim in her statement under Section 164 Cr.P.C. has stated that
the petitioner forcefully took her to Delhi and performed forceful
marriage and established physical relation. Thereafter, the
petitioner left to the village. The victim is aged about 15 years.



Learned counsel for the petitioner submits that the medical report does not corroborate any sign of physical assault. Age of the victim has been assessed between 17 to 18 years.

Considering the fact that at this stage there is nothing to disbelieve the statement of the victim, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail is refused. The learned trial Court is directed to expedite the trial and conclude the same within nine months, failing which the petitioner would be at liberty to renew the prayer for bail before the trial judge itself, who shall pass a reasoned order.

(Birendra Kumar, J)

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