

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52066 of 2018

Arising Out of PS. Case No.-94 Year-2017 Thana- KOTWALI District- Munger

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Rajiv Kumar Rajak @ Rajiv Kumar S/o Shri Krishna Rajak, R/o
Vill./Muhalla- Mirchi Talab (Dhobi Tola), P.S.- Kotwali, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar Singh

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 26-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The Petitioner seeks bail in **Kotwali P.S. Case No. 94 of 2017** registered for the offence punishable under Sections 363, 366A, 376/34 of the Indian Penal Code and Section 3/6 of the POCSO Act.

Allegation against the petitioner is of kidnapping the sister of the Informant.

The victim girl was recovered and in her statement under Section 164 of the Cr.P.C as recorded by the court below has supported the FIR version and has also alleged of committing rape on her by the petitioner. In her deposition as PW-2 she has stated that after solemnizing marriage with petitioner, she went in Hotel. PW-1 is Informant and brother of



victim who in his deposition has stated that Puja Kumari had gone with petitioner voluntarily and thereafter petitioner send her back. Medical Board has assessed her age between 16-17 years. Petitioner is in custody since 23.03.2017.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail, hence, the prayer for bail of the petitioners is hereby rejected.

However, the trial court is directed to expedite the trial of the petitioner and conclude the same within a period of four months from the date of receipt/production of a copy of this order. If the trial of the petitioner is not concluded within a period of four months then petitioner would be at liberty to renew his prayer for bail.

(S. Kumar, J)

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