

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32493 of 2018

Arising Out of PS. Case No.-161 Year-2017 Thana- BHARGAWAN District- Araria

Sanjay Yadav S/o Suresh Yadav, R/o Vill.- Simarbari, Dhangara, P.S.-
Bhargama, District- Araria, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Md. Arif

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 11-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Bhargama P.S. Case no. 161 of 2017 registered for the offence
punishable under Sections 366(A)/34 of I.P.C.

The petitioner is said to have kidnapped the daughter
of the informant forcibly in association with his associates with
intention to perform marriage with her.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. The victim
in her statement recorded under Section 164 of the Cr.P.C. has
also not stated about her kidnapping by the petitioner for the
purpose of marriage. The petitioner has been languishing in



custody since 22.07.2017. Earlier, the bail prayer of the petitioner was rejected by this Court vide order dated 18.10.2017 with liberty to renew his prayer for bail if the trial is not concluded within six months, but the trial has not yet been concluded.

On the other hand, learned APP vehemently opposed the bail prayer of the petitioner and submitted that the victim happens to be minor and petitioner is said to have kidnapped her. Victim in her statement recorded under Section 164 of the Cr.P.C. has candidly stated about kidnapping her by the petitioner forcibly by gagging her mouth, keeping in the room locked for four days.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail at this stage. Accordingly, his prayer is rejected.

However, the learned lower court is directed to conclude the trial as expeditiously as possible within three months from the date of receipt/production of a copy of this order by conducting the case on day to day basis.

The Superintendent of Police, Araria is directed to ensure the production of witnesses in the case on each and every date fixed by the trial court without fail.



Let a copy of this order be communicated to the
Superintendent of Police, Araria by fax for needful.

(Prakash Chandra Jaiswal, J)

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