

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58023 of 2018

Arising Out of PS. Case No.-100 Year-2017 Thana- SATHI District- West Champaran

Rizwan Sheikh son fo Gawal Sheikh, resident of village Pachrukhiya,
P.S.Gaunaha, Dsitric West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-12-2018 Heard the parties.

The petitioner seeks regular bail in connection with Sathi P.S.Case no.100 of 2017 dated 7.7.2018 registered for offences punishable under Sections 363, 366(A), 341, 504, 506, 34 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping of the minor daughter of the informant and committing rape upon her and later on the girl was recovered and she has supported the allegation in her statement recorded under Section 164 Cr.P.C. and also stated about the commission of rape by the petitioner.

Submission of the learned counsel for the petitioner is that there is delay of one month in filing the FIR. Petitioner is neighbour and the FIR itself shows that she was found in his



house after the occurrence and also further medical report does not support the prosecution case.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail stating that the girl in her statement recorded under Section 164 Cr.P.C. has stated about the kidnapping by the petitioner and also rape and the medical report also shows that hymen was found ruptured..

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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