

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17686 of 2019

Arising Out of PS. Case No.-600 Year-2018 Thana- SHASTRINAGAR District- Patna

GAUTAM KUMAR S/o Lakhan Yadav Resident of Village- Porai, P.S.-
Harnaut, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 19-09-2019 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner seeks bail in Shastri Nagar P.S. case
No.600 of 2018 registered under Sections 363, 364, 323, 506/34
of the Indian Penal Code, pending in the court of Sub Judge IV-
cum-A.C.J.M., Patna.

Allegation is that the petitioner and one unknown
person abducted the daughter of the informant while she was
returning from her college. They also assaulted her and were
pressing her neck with a view to kill her.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 24.09.2018. Charge sheet has
been submitted in this case. There is no allegation of tampering
of witnesses alleged against the petitioner. The petitioner has



falsely been implicated in the present case due to previous enmity. The brother of the victim had also instituted cases against the petitioner on earlier occasions. There has been love affairs between the petitioner and the victim, which is not liked by the family members of the victim. Hence the present case has been instituted. The victim has made her statement under Section of 164 Cr.P.C. under due influence of her parents.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. The victim has been recovered. Her statement under Section 164 of Cr.P.C. has been recorded. There is specific allegation made against the petitioner by the victim in her statement.

A report was called for from the court below. It has been reported that out of six charge sheet witnesses, two witnesses have been examined and the trial is expected to be concluded within a period of five months.

Counsel for the informant informs that in fact four prosecution witnesses have been examined.

Considering the nature of accusation and the stage of trial, I am not inclined to grant bail to the petitioner. The same is rejected.



The Trial Court is directed to take all necessary steps
to conclude the trial preferably within a period of five months
from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

Narendra/-

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