

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22664 of 2019**

Arising Out of PS. Case No.-138 Year-2016 Thana- SUGAULI District- East Champaran

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HANDIL MALI @ HARENDRA MALI Son of Sathu Mali Resident of  
Village - Hariyara Haraj, P.S.- Shikarganj, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Madhura Nand Jha

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      02-05-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in a case instituted for the  
offences under Sections 366, 372, 504, 120(B)/34 of the Indian  
Penal Code.

The prosecution case in short is that the accused  
persons forcibly abducted the married daughter of the  
informant.

It has been submitted on behalf of the petitioner that  
the petitioner is in custody since 12.10.2018. There is no  
allegation of tampering of witnesses alleged against the  
petitioner. Charge-sheet has been submitted in the present case.  
The petitioner has falsely been implicated in the present case.  
The date of occurrence is 5.3.2016 but the complaint case was



filed on 1.4.2016. The delay in lodging the case has not been explained.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. instituted under Section 156(3) of the Cr.P.C. As per Section 164 Cr.P.C. statement of the victim, she was forcibly taken by the accused persons including the petitioner and sold to one Chote Lal Mali who subjected the victim to sexual abuse.

Considering the nature of accusation, I am not inclined to grant bail to the petitioner in connection with Sugauli P.S. Case No. 138/16 at this stage. The same is rejected.

**(Sudhir Singh, J)**

Pankaj/-

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