

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22872 of 2019

Arising Out of PS. Case No.-337 Year-2018 Thana- MINAPUR District- Muzaffarpur

Vikash Kumar, aged about 25 years, Male, Son of Shankar Ram, Resident of Village - Salempur, P.S.- Ahiyapur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mazharul Hassan
For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 10-04-2019 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered under Sections 363 and 366(A) of the Indian Penal Code.

Minor daughter of the informant is said to have been kidnapped by some unknown miscreants.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. Petitioner has no concern with the aforesaid occurrence. He has been falsely implicated in this case. It is the co-accused Mohan who had called the victim along with the petitioner and said Mohan left the victim to Chhote Lal Yadav. Petitioner has no complicity either in the kidnapping or in any of the occurrence. Petitioner has no criminal antecedent and has been languishing in custody



since 05.09.2018.

On the other hand, learned APP for the State opposed the prayer for bail.

From perusal of the record, it appears that the victim in her statement recorded under Section 164 Cr.P.C. has stated that she was in love with the petitioner and on call of the petitioner she had stepped out of the house on the date of occurrence and went to Muzaffarpur with the petitioner and Mohan where the petitioner and Mohan left the victim to Chhote Lal Yadav who runs Orchestra and said Chhote Lal Yadav committed rape against her and she started living with other members of the orchestra.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

(Prakash Chandra Jaiswal, J)

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