

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67960 of 2019**

Arising Out of PS. Case No.-465 Year-2018 Thana- RUNISAIDPUR District- Sitamarhi

VIKASH KUMAR Son of Mukhdeo Mandal Resident of Village-Gadha,
Police Station-Runnisaidpur, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhubala Verma

For the Opposite Party/s : Mr.Atul Chandra

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER**

2 19-11-2019 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is in custody in connection with
Runnisaidpur P.S. Case No. 465/2018 registered for the offence
punishable under Sections 363/366(A)/34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that
there was love affairs between the parties and the victim girl
Shyama Bharti is a major so there is no question of her
kidnapping. The medical report indicates that she is of the age
between 18-19 years. Learned counsel further submits that in
her statement made under Section 164 Cr. P.C., she has not
stated the commission of any sexual act on her and, therefore,
the petitioner may be extended the privilege of bail.

Having heard learned counsel for the petitioner and



learned counsel appearing on behalf of the State, it appears that the victim girl in her statement made before the Magistrate under Section 164 Cr. P.C. has categorically stated that the petitioner had kidnapped her and taken her on the pretext of reaching her home, but thereafter, kept her confined at several places.

Considering the aforementioned facts and circumstances and that the petitioner was indulged in the act of kidnapping, I am not inclined to grant regular bail to this petitioner.

It is, accordingly, rejected.

Trial to be expedited.

(Anjana Mishra, J)

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