

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75700 of 2018

Arising Out of PS. Case No.-251 Year-2018 Thana- DIGHA District- Patna

=====

Bibhore Kumar Singh @ Bibhore Kumar Son of Rajkishore Singh Resident
of Village-Baghauna, P.S. Siswan, Distt.-Siwan. At present R/o Vill/Mohalla-
Kuleshra,P.S. Ecotech III, Distt.-Greater Noida Gautambudh Nagar U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary
For the Opposite Party/s : Mr. Tapeswar Sharma

=====

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

6 27-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Digha
P.S. Case No. 251 of 2018 registered under Sections 363,
366(A)/34 of the Indian Penal Code.

Petitioner along with his sister is said to have
kidnapped the minor niece of the informant from Digha Bridge.

It is submitted by learned counsel for the
petitioner that the petitioner is quite innocent and has committed
no offence. No such occurrence as alleged ever took place. As
a matter of fact, the victim is major. She was in love with the
petitioner and she had *suo motu* eloped with the petitioner out of



her sweet will. The victim in her statement recorded under Section 164 Cr.P.C. has not alleged any sexual assault against her by the petitioner. There has been inordinate delay in lodging the F.I.R. in the case. Petitioner has no criminal antecedent and has been languishing in custody since 30.09.2018.

Per contra, learned APP for the State opposing the bail prayer of the petitioner submitted that the victim happens to be minor. The petitioner has kidnapped minor girl along with his sister. The victim in her statement recorded under Section 164 Cr.P.C. has stated that the petitioner had kidnapped her from Digba Birdge and kept in Noida for four months and did not allow her to talk with her parents during the aforesaid period. Hence, the petitioner does not deserve bail.

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

However, learned court below is directed to conclude the trial as expeditiously as possible preferably within nine months from the date of commitment of the case and S.S.P. Patna is directed to ensure production of the witnesses in the case on each and every date fixed without fail.

Let a copy of this order be communicated to S.S.P.



Patna by fax for needful.

(Prakash Chandra Jaiswal, J)

rohit/-

U		T	
---	--	---	--

