

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5612 of 2019

Arising Out of PS. Case No.-129 Year-2019 Thana- KATIHAR MUFFASIL District- Katihar

MD. BARIK Son of Abdul Sattar Resident of Village - Mahiyarpur, P.S.-
Manihari, District- Katihar, Presently resided at Kamat Tola, Sirnea, P.S.-
Muffasil, District- Katihar

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bimal Kumar

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-12-2019 Appellant seeks bail in connection with Muffasil

P.S.Case No. 129 of 2019 registered for the offences punishable
under Sections 366A, 323, 504, 120B/34 of the Indian Penal
Code and Section 3 (r)(s)(w) of Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act.

As per FIR appellant is said to have kidnapped minor
daughter of the informant and as per her statement recorded
under Section 164 Cr.P.C. he has also committed rape upon her.

Submission of learned counsel for the appellant is that
it appears to be a consenting sexual relationship and age of the
girl is assessed at 15-17 years and appellant is in custody since
27.8.2019.

Heard learned Special P.P., who has opposed the



prayer for bail of the appellant.

In view of allegation and also considering the facts and circumstances, I am not inclined to grant bail to the appellant.

Accordingly, the appeal is dismissed.

(Vinod Kumar Sinha, J)

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