

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8107 of 2020

Arising Out of PS. Case No.-424 Year-2019 Thana- GAYA KOTWALI District- Gaya

MD. MISTER Son of Naim Uddin @ Md. Naim, Resident of Mohalla-
Murarpur, Maina Gali, P.S.- Kotwali and Distt- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 09-06-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking regular bail in connection with Kotwali P.S. Case No.424 of 2019 registered for offence punishable under section 366/34 of the Indian Penal Code.

Allegation has been made that the daughter of the informant had gone to purchase the medicine, but she did not return. The girl has been recovered and she has made her statement under section 164 Cr. PC on 17.09.2019, wherein she has stated that the petitioner with the help of his associates, picked up the daughter of informant and she was taken to Chakand where they kept her in a room and in the night, the accused person started sexual assaulting on her. When she raised



alarm, Police came there and thereafter she went to Kotwali police station with the police.

The learned counsel for the petitioner submits that there is delay of seven days in lodging the FIR as well as she was recovered on the same day i.e. on 10.09.2019 but her statement has been recorded on 17.09.2019 i.e. after delay of seven days without any explanation of delay. He further submits that her statement has been recorded under the pressure of the police, as the police has enmity with the present petitioner, but the petitioner has not brought on record the fact that the police has enmity with him.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner for the present.

Accordingly, this bail application is dismissed.

(Shivaji Pandey, J)

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