

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12827 of 2020

Arising Out of PS. Case No.-7 Year-2020 Thana- KORHA District- Katihar

UTTAM KUMAR Son of Churamani Mandal Resident of Village - Lailakh,
Post Office - Mamalkha, P.S.- Sabour, Distt - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 18-06-2020 The matter has been taken up through virtual Court proceeding.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in jail since 5.1.2020 in a case registered for the offences punishable under Sections 363 and 366A/34 of the IPC.

The prosecution case, as per the written report of Ajit Kumar Mandal submitted to the SHO, Korha Police Station is to the effect that on 2.1.2020, the informant and his wife went to the agricultural field to work, in the meantime, Sumanjeet Kumar, the son-in-law of Shankar Mandal and his daughter, namely, Bibha Kumari came and kidnapped the minor daughter of the informant, namely, X (changed name). In her statement



under Section 164 of the Cr.P.C. the victim got her age recorded as 14 years when the Court assessed her age as 16 years.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been roped in the present case.

Learned APP submits that accusation is specific against the petitioner.

Considering the fact that in her statement under Section 164 of the Cr.P.C. the victim got her age recorded as 14 years when the learned Court below assessed her age as 16 years and the educational certificate of the victim supports the fact that the victim was minor and the accusation against the petitioner is specific that he ravished the minor daughter of the informant, this Court is not inclined to grant bail to the petitioner in connection with Korha P.S. Case No. 7 of 2020 pending in the Court of the learned CJM, Katihar. Prayer of the petitioner for bail is rejected.

(Dinesh Kumar Singh, J)

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