

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS NO. 21793 of 2020

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Md. Heera, S/o Md. Juber @ Md. Umar, resident of village – Miyachak, Chmara
Godown, Ward No. 22, P.S. – Town (Ratanpur O.P.), District – Begusarai.

.....Petitioner

Versus

The State of Bihar

.....Opposite Party

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Appearance:

For the Petitioner/s : Mr. Binod Kumar, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

02. 07.09.2020

Heard Mr. Binod Kumar, learned counsel for the petitioner
and Mr. Akshay Lal Pandit, learned counsel for the State.

The petitioner seeks bail in connection with Town (Ratanpur
O.P.) P.S. Case No. 70 of 2020 dated 28.01.2020 instituted for the
offences under Sections 363 and 366(A) of the Indian Penal Code.



The sixteen years old daughter of the informant is said to have been abducted. The informant has also alleged in the First Information Report that her daughter used to complain about the activities of the petitioner. The investigation report also reveals that the victim was recovered from the house of the father of the petitioner. The petitioner was also arrested from there.

The victim has made her statement before the police under Section 161 Cr.P.C. in which, she has alleged that she was not only kidnapped but also forcibly subjected to sexual intercourse. Though similar statement has been made in the statement under Section 164 Cr.P.C. but the victim does not claim to have identified the perpetrator of the crime.

In any view of the matter, regard being had to the fact that the victim was a minor and was recovered from the house of the father of the petitioner from where, the petitioner also was arrested, I am not inclined to grant bail to the petitioner.

The prayer for bail of the petitioner is rejected.



However, if no substantial progress is made in the trial within the reasonable period of time, the petitioner would have the liberty to approach the trial court for grant of bail during the pendency of the trial.

(Ashutosh Kumar, J)

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