

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26429 of 2020

Arising Out of PS. Case No.-161 Year-2019 Thana- MAJORGANJ District- Sitamarhi

BHOLA THAKUR @ HARISHCHANDRA THAKUR Son of Late Rajendra Thakur Resident of Village - Mohani Mandal, Police Station - Suppi, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rejendra Sah, Mr. Sunil Prasad Singh, Advocates
For the Opposite Party/s	:	Mrs. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4. 05-12-2020 Heard Mr. Rejendra Sah, learned counsel for the petitioner and Mrs. Nirmala Kumari, Additional Public Prosecutor for the state through video conferencing.

2. Petitioner seeks regular bail in connection with Majorganj PS Case No. 161/2019 registered for the offence punishable under Sections 363, 366A of the IPC.

3. The allegation, as per First Information Report, is that the minor daughter of the informant aged about 16 years was abducted by the petitioner and others.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and Medical Board has assessed the age of the victim between 18 to 19 years. Learned counsel for the petitioner further submits that the Medical Board has not found any sign of rape



upon the victim girl. However, charge-sheet under Section 376 IPC has been submitted against the petitioner.

5. Learned counsel for the State, referring to the case diary, submits that the victim girl in her statement, under Section 164 of the CrPC, has categorically stated that she was kidnapped by the petitioner and others and was taken to Delhi and Rajasthan and petitioner used to establish sexual relations with the victim girl every day forcibly.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the statement of the victim girl under Section 164 of the CrPC, I am not inclined to grant regular bail to the petitioner. The same is, hereby, rejected.

(Anil Kumar Sinha, J)

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