

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.25704 of 2020**

Arising Out of PS. Case No.-33 Year-2020 Thana- SAMASTIPUR District- Samastipur

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Vinay Kumar Son Of Mukhlal Singh Resident Of Village - Dharampur Bande,  
P.S.- Patori, District - Samstipur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr.Vijay Anand, Advocate  
For the Opposite Party : Mr. Addl Public Prosecutor

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER**

3      23-11-2020                      Heard learned counsel for the petitioner as well as  
  
learned counsel for the State through video conferencing.

The petitioner seeks bail in Samastipur town Police  
Station Case No. 33 of 2020 registered for the offences  
punishable under sections 363, 366/376 of the Indian Penal  
Code.

Petitioner is alleged to have kidnapped the wife of the  
informant when she was returning to her house.

Learned counsel for the petitioner submits that the  
victim works at Samastipur with the petitioner. From the  
materials at record it appears that she had left her house with the  
petitioner at her own sweet will. The victim is major and with  
consent remained with the petitioner from 5.2.2020 to 20.2.2020  
and did not raise any alarm during this period. It is stated in



paragraph 3 of the bail petition that the petitioner has got no criminal antecedent. Petitioner is in custody since 22.2.2020.

Learned counsel for the State opposes the prayer for bail and submits that the victim in her section 164 Cr.P.C. statement has alleged that the petitioner kidnapped and brought her to Gujarat and pressurized her to solemnize marriage and also committed rape.

In view of the nature as well as the gravity of the offence alleged in the FIR and supported by victim in her statement recorded u/s 164 Cr.P.C., prayer for bail of the petitioner is refused.

**(Prabhat Kumar Singh, J)**

Shashi

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