

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28312 of 2020

Arising Out of PS. Case No.-96 Year-2020 Thana- BIDUPUR District- Vaishali

SHUSHIL KUMAR S/o Manoj Chaudhary @ Manoj Kumar Resident of
Village-Khilwat, P.S.-Bidupur, District-Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-12-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

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

The petitioner seeks bail in Bidupur P.S. Case No. 96
of 2020, registered for the offence punishable under Sections
363, 364 and 34 of the Indian Penal Code.

As per the prosecution case, the informant went to
Dilawarpur Road near a road bridge and saw his daughter in an
unconscious condition and her mouth was tied with Gamchha.
The police reached and took her to hospital for treatment and
when she regained her consciousness, she disclosed that this
petitioner tapped her mouth and put her in bag. She cried, but



co-accused Vikky who was standing there did not save her. Thereafter both of them put the bag on motorcycle and threw her under the road bridge. It is further alleged that they kidnapped the daughter of informant for committing her murder.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case due to village politics and there is no allegation of sexual assault. Petitioner is in custody since 17.03.2020 having no criminal antecedent, as stated in para 3 of the petition.

Learned APP however, vehemently opposed the prayer for bail and submitted that victim girl aged about 8 years who has supported the prosecution case in her statement under Section 164 Cr.P.C wherein she has stated that it was this petitioner who took her from her house and put her in bag and threw her under the bridge.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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