

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81038 of 2019

Arising Out of PS. Case No.-280 Year-2018 Thana- BASOPATTI District- Madhubani

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FAGUNI SAHNI Son of Late Banwani Sahni Resident of - Soathgaon, Ward
No. 7, Madhubani Tole, P.S.- Harlakhi, Distt - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 16-03-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offences punishable under Section 366(A) of the Indian Penal
Code.

The statement of the victim girl would reveal that the
petitioner allegedly ravished her after forcefully kidnapping her.

Learned counsel for the petitioner submits that there is
delay in lodging the FIR as well as getting statement under
Section 164 Cr.P.C. recorded. In fact the victim was a
consenting party.

Though the medical report and the statement of the
victim is that on the date of occurrence the victim was a minor,
however, the Aadhar Card would show that she was already of



19 years on the date of alleged occurrence.

Considering the entire facts and nature of allegation against the petitioner as well as the fact that there is no material to corroborate that the victim was a consenting party, I am not inclined to enlarge him on bail in connection with Basopatti P.S. Case No. 280 of 2018.

Learned trial judge is directed to expedite the trial.

(Birendra Kumar, J)

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