

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11860 of 2021**

Arising Out of PS. Case No.-21 Year-2020 Thana- SHAHKUND District- Bhagalpur

Bablu Singh S/O Sitaram Singh R/O Village Chandpur, P.S-Shahkund
(sajaur), District-Bhagalpur.

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, App

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 17-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in connection with a case registered under sections 363 and 366 of the Indian Penal Code.

As per allegations in the F.I.R, the daughter of the informant who had gone to the college did not return and was not to be found inspite of search. The informant suspects that she was kidnapped.

It is submitted by learned senior counsel appearing for the petitioner that the F.I.R. was registered after a delay of six days without any reasonable explanation for the same. The victim returned and her statement was recorded under sections 161 and 164 Cr.P.C. which are at variance with each other. It is submitted that the statement under section 164 Cr.P.C made after three days is a tutored statement. Further, from perusal of the medical report her age was estimated to be more than 18 years, no injury was found on her body nor any spermatozoa



was found. The petitioner is in custody since 14.6.2020, investigation in the case has concluded and he has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the allegation against this petitioner by the daughter of the informant in her statement under section 164 Cr.P.C, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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