

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14008 of 2021

Arising Out of PS. Case No.-58 Year-2020 Thana- BATHNAHA District- Sitamarhi

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MANJIT KUMAR Son of Matwar Kapri Resident of Village- Turkauliya,
P.S.- Bathnaha, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 05-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 366A and 34 of the Indian Penal Code.

As per allegations in the F.I.R., the minor sister of the informant was kidnapped by the named accused persons on the point of pistol, including this petitioner.

It is submitted by learned counsel for the petitioner that allegations as levelled in the F.I.R. are false and concocted. The statement of the sister of the informant was recorded under section 164 Cr.P.C. There is a lot of contradictions between the case in the F.I.R. and the statement under section 164 Cr.P.C. It is not a case of kidnapping. In the medical examination, no



external or internal injury has been found and the alleged victim has been found to be a major. She has married and is leading a happy conjugal life. Co-accused Radhika Devi has been enlarged on anticipatory bail. The petitioner is in custody since 18.9.2020, has no criminal antecedent and investigation in the case has concluded.

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

Having heard learned counsel for the parties, it transpires that the direct allegation against this petitioner of having kidnapped the minor sister of the informant is supported by the statement of the victim under section 164 Cr.P.C. wherein she has made allegations that the petitioner forcibly established physical relation with her. In view of the facts of the case, 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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