

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15315 of 2021**

Arising Out of PS. Case No.-110 Year-2020 Thana- PANCHRUKHI District- Siwan

VIKASH KUMAR @ VIKKI KUMAR S/o- Manager Singh Resident of
Village- Barkagaon, P.S.- Saray O.P., District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Prasad

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

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

3 02-09-2021 This matter is taken up for consideration through
Video Conferencing.

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

The petitioner seeks bail in Pachrukhi P.S. Case No.
110 of 2020, registered for the offence punishable under Section
376 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, this petitioner sexually
exploited the daughter of informant on the false pretext of
marriage. It is further alleged that on 09.05.2020, this petitioner,
Manager Singh, Shashi Bhushan Singh called the daughter of
informant and making plan to commit murder of her. Thereafter
all the accused persons fled away after opening fire.



It is submitted on behalf of the petitioner that from bare perusal of FIR, it is apparent that only with a view to pressurize this petitioner who is working in construction company in Mumbai, as family members of victim girl wanted to marry her with petitioner, but family members of petitioner refused the proposal, this false and fabricated case has been lodged. No case under Section 376 is made out against this petitioner. During course of investigation, the victim girl has narrated altogether different story than she has narrated in her statement under Section 164 Cr.P.C. He has referred certain paragraphs of case diary in which some of the witnesses have stated that there was proposal of marriage from the informant side and petitioner side refused the proposal, therefore, petitioner and his entire family members have been made accused in this case. Petitioner is in custody since 01.12.2020 having no criminal antecedent.

Counsel for the informant however, vehemently opposed the prayer for bail and submitted that the victim girl has supported the prosecution story in her statement under Section 164 Cr.P.C.

Considering the facts aforesaid and statement of victim girl under Section 164 Cr.P.C, 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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