

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37829 of 2021

Arising Out of PS. Case No.-319 Year-2019 Thana- RAJAON District- Banka

=====

Lallu Yadav @ Sumit Kumar S/o Walli Yadav Resident of Nawagarhi, Ram
Nagar, P.S. - Rajaun, District - Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rashid Izhar

For the Opposite Party/s : Mr.Pranav Kumar

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 03-11-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Rajaun P.S. Case No. 319
of 2019, registered for the offence under Sections 366, 366(A),
120(B)/34 of the Indian Penal Code.

As per the prosecution case, this petitioner is alleged
to have kidnapped the daughter of the informant and forcibly
solemnized marriage with her.

It is submitted on behalf of petitioner that petitioner
has been falsely implicated in this case. In fact, the petitioner
already got married with one Rupa Kumari on 21.06.2019. It is
further submitted that though, the alleged occurrence is said to
have taken place on 25.06.2019, but F.I.R. has been registered
on 23.07.2019 when the victim was recovered without there
being any plausible explanation of delay. There is contradiction



in the F.I.R. and statement of the victim recorded under Section 164 Cr.P.C. Petitioner is in custody since 09.01.2021.

However, learned A.P.P. for the State opposed the bail petition and submitted that there is specific allegation against the petitioner of kidnapping and committing sexual intercourse with the victim, which has also been supported by the victim in her statement recorded under Section 164 Cr.P.C.

Considering the nature of allegation and gravity of offence, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J.)

anay

U		T	
---	--	---	--

