

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8373 of 2022

Arising Out of PS. Case No.-247 Year-2019 Thana- DAGARUA District- Purnia

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GOPAL KUMAR @ GOPAL KUMAR DAS S/o Late Shibu Das R/o village-
Naya Tola, Nikhrail, P.S.- Dagarua, P.O.- Babhani, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jibendra Mishra

For the Opposite Party/s : Mr.Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 30-03-2022

Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case registered under sections 366A and 34 of the Indian Penal Code.

As per the prosecution case, the informant is said to have kidnapped the 16 year old daughter of the informant.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 22.6.2021 (Annexure-1) passed in Cr. Misc. no. 5321 of 2021. There was unexplained delay of 19 days in lodging of the FIR. The mother of the alleged victim was examined and she has not supported the prosecution case. The petitioner has remained in custody since 2.7.2020 and has no criminal antecedent.



The application for bail is opposed by learned A.P.P. for the State who submits that the victim supported the prosecution case in her statement under section 164 Cr.P.C. and even her mother supported the case in her deposition in the Sessions Trial.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the victim having supported the prosecution case in her statement under section 164 Cr.P.C. as also the contents of the deposition of the mother of the victim ie the informant herein, wherein she states about the kidnapping in her daughter by the petitioner and one another, 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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