

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45639 of 2021

Arising Out of PS. Case No.-12 Year-2014 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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BHOLA KUMAR RAI Son of Yogendra Rai Resident of Mohalla -
Sikandarpur, Ambedkar Nagar, P.S. - Town, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Adv.
For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 29-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 366A, 323,
504 and 120B of the Indian Penal Code.

As per the prosecution case, the minor daughter of
the informant was kidnapped by the accused persons.

It is submitted by learned counsel for the petitioner
that there is an inordinate delay in lodging of the complaint
which was subsequently registered as an FIR. The petitioner has
been falsely implicated in the case. The alleged victim returned
and her age was estimated by the Medical Board to be 19-20
years. She has given a tutored statement under section 164
Cr.P.C. The petitioner is in custody since 22.4.2021 and has no



criminal antecedent. Chargesheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State who submits that there is direct allegation against the petitioner in the FIR and the same has been supported by the victim in her statement under section 164 Cr.P.C. It is further submitted that in a case of the year 2014 the petitioner absconded for 7 years till he was taken into custody.

Having heard learned counsel for the parties and taking into consideration the direct allegation against the petitioner in the statement under section 164 Cr.P.C. of the victim together with the petitioner having absconded for 7 years, 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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