

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49673 of 2021

Arising Out of PS. Case No.-470 Year-2020 Thana- MAKHDUMPUR District- Jehanabad

MANISH KUMAR S/o Late Nagina Singh R/o- Kukri Bigha, P.S.- Patal
Ganga (Banawar), Dist- Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Mohan, Adv

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 05-05-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

The petitioner seeks bail in a case registered for the offence under Sections 365, 366 of IPC but the police after investigation submitted chargesheet under Sections 366 and 376 of IPC.

The prosecution case, in short, is that the informant Siyamani Devi submitted her written application to the S.H.O. , Makhdumpur P.S. alleging therein that on 11.12.2020 at about 11.00 A.M., her daughter namely, Nitu Kumari went to Makhdumpur for procuring her Aadhar Card but she did not



return back to her house till evening. After thorough search, the informant came to know that the petitioner alongwith other co-accused persons, after luring the daughter had taken away from Makhdumpur Market. It is further alleged that informant's daughter had not returned back home till date.

Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that in fact the petitioner and the victim were in love and they have performed marriage on 14.12.2020. Petitioner is in custody since 17.12.2020.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim was recorded under Section 164 Cr.P.C. in which she categorically stated that the petitioner has committed rape upon her. He further submits that the medical report also supports the allegation of rape.

Vide order dated 24.03.2022, a report was called for with regard to the stage of the trial. Report reveals that the trial is going on.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with S.Tr.No.84/2021, 15/2021 arising out of Makhdumpur P.S.Case



No.470 of 2020 pending in the court of learned A.D.J.-I,
Jehanabad.

Prayer is refused.

(Rajesh Kumar Verma, J)

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