

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61335 of 2021**

Arising Out of PS. Case No.-70 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Murari Kumar @ Murkatta, Son of Ashok Rajak @ Gudar Rajak, Resident of
Village- Kirtaul Ward No. 9, P.S.- Teghra, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh, Advocate
For the Opposite Party/s : Mr.Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in judicial custody in connection
with Begusarai Muffasil P.S. Case No. 70 of 2021 was instituted
on 03.02.2021 registered under Sections 366 (A) of the Indian
Penal Code.

The F.I.R.was lodged by the informant before the
local police station about missing of her daughter aged about 13
years, who was subsequently recovered by the police. It is
further alleged that the victim/daughter of the informant in her
statement recorded under Section 161 and 164 Cr.P.C. stated
that the petitioner called her on her mobile to come out from the
house to meet him and after meeting him, he assured that she



will return home. She further stated that when she came out, the petitioner asked her to accompany him and upon her refusal, it has been stated that petitioner along with other co-accused caught hold of her, gagged her mouth with cloth as a result she became unconscious. Then she was taken on a motorcycle by the petitioner along with the co-accused. She further stated that she was confined in a room where this petitioner made physical relationship with her continuously for three days. However, she managed to escape and reached home and thereafter narrated this to her family members. The police has submitted charge-sheet vide charge-sheet No. 338 of 2021.

Learned counsel for the petitioner submits that there is delay of six days in lodging of the FIR, the witnesses have stated that the girl is in habit of escaping from her home repeatedly and the medical report of the victim girl has been assessed as 15-17 years. He further submits that the petitioner is in jail since 30.06.2021.

Learned APP representing the State vehemently opposes the prayer for bail and submits that specific allegation has been attributed to the petitioner that he forcefully made physical relationship with the minor girl for three days after abducting her.



The petitioner has been named by the informant who was active member in her abduction and further made physical relationship with her.

Considering the fact that specific allegations have levelled against the petitioner herein, this Court is not inclined to grant any relief to him.

The bail application is accordingly rejected.

(Rajiv Roy, J)

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