

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62280 of 2021**

Arising Out of PS. Case No.-97 Year-2019 Thana- TARAIYA District- Saran

Manish Kumar Singh @ Manish Kumar Son of Devendra Singh Resident of
Village - Louwan, P.S.- Taraiya, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan
For the Opposite Party/s : Mrs.Sharda Kumari

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 17-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Taraiya P.S. Case No. 97 of 2019, registered for the offence under Sections 366 and 34 of the Indian Penal Code.

As per the prosecution case, this petitioner kidnapped the wife of the informant and committed rape on her.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case and the victim had gone with him out of her own will. It is further submitted that petitioner is next door neighbour of the informant and wife of the informant developed love-affairs with him and she voluntarily went with petitioner at different places. Moreover, the parties have already compromised the case and to this effect,



filed an affidavit before the court. Petitioner is in custody since 08.03.2021.

However, learned A.P.P. for the State opposed the bail petition and submitted that the victim (wife of informant), in her statement recorded under Section 164 Cr.P.C., has supported the prosecution case and stated that the victim went with this petitioner to see her ailing husband, but instead of going to Delhi where her husband was ill, the petitioner, after intoxicating the victim, took her to Puri (Orissa) and forcibly established physical relation with her.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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