

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7608 of 2023

Arising Out of PS. Case No.-211 Year-2019 Thana- BIHAR District- Nalanda

SHAMBHU KUMAR SON OF LATE RAM LAKHAN MAHTO R/O VILL.-
SORABIPAR, P.S.- DEEP NAGAR, DISTT.- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudish Kumar

For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed by the petitioner in connection with Bihar P.S. Case No. 211 of 2019 instituted for the offence punishable under Sections 363, 365, 376 and 506 of the Indian Penal Code.

As per allegation in the FIR, it is a case of abduction of the informant's daughter, aged about 17 years by the petitioner. Victim girl was pursuing her intermediate course in Nalanda College in which petitioner was working in the capacity of peon.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Victim girl has given an application before Hostel



Incharge, Mahila Hostel Nalanda College, Biharsharif in which she has stated that petitioner is innocent. Victim girl has refused for medical examination. Petitioner has got no criminal antecedent and languishing in judicial custody since 22.11.2022.

Learned APP appearing for the State has opposed the prayer of bail and submitted that statement of the victim girl was recorded under Section 164 Cr.P.C. in which she has made direct allegation of kidnapping and rape against the petitioner. During investigation several witnesses have supported the prosecution story.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, I am not inclined to grant bail to the petitioner and, as such, his application for bail stands rejected.

The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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