

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20464 of 2022

Arising Out of PS. Case No.-160 Year-2014 Thana- MAHISHI District- Saharsa

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MUNINDER SINGH S/o Darbari Singh R/o village- Kotha, P.S.- Katra,
District- Shahjahanpur (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 12-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 366A and 34 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that his *Samadhi* Umesh Sah took away his 16 year old daughter stating that he would get her married. Subsequently the informant was given information to the effect that his daughter had been married to the petitioner, however, inspite of search her whereabouts could not be ascertained and it appeared that she had been taken away for some other purpose.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the FIR. In fact the alleged victim was married to the brother of the petitioner, namely



Narendra Sah. The petitioner has been falsely implicated in the case. There is delay of one month in lodging of the FIR. Co-accused Umesh Sah has been enlarged on bail vide order dated 26.4.2017 passed in Cr. Misc. no. 7849 of 2017.

Heard learned APP for the State.

Having heard learned counsel for the parties it transpires that the statement of the 15 year old victim was recorded under section 164 Cr.P.C. wherein she has made categorical allegation that Narendra Sah @ Muninder Singh the petitioner and his brothers committed rape upon her repeatedly on many occasions. Further on the FIR having been registered in the year 2014, the petitioner was taken into custody after absconding for more than 5 years later on 23.2.2020.

In the facts of the case, 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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