

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53605 of 2023

Arising Out of PS. Case No.-32 Year-2017 Thana- CHIRAIYA District- East Champaran

Sanjeet Kumar S/O Pukar Mahto @ Ram Pukar Mahto R/O Village-
Mahuawa, P.S- Chiraiya, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 29.04.2023, in connection with Chiraiya P.S. Case No. 32 of 2017, arising out of G.R. Case No. 143 of 2017, F.I.R. dated 13.02.2027 registered for the offences punishable under Sections 363, 366(A) of the Indian Penal Code and later on Section 376 of the Indian Penal Code was added.

3. Allegation against the petitioner is that he kidnapped the informant's daughter aged about 12 years of age with an intention to perform marriage.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. and due to previous dispute the petitioner has been falsely implicated in the present case.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail and submits that the victim was recovered and her statement was recorded under Section 164 of the Cr. P.C. in which she has categorically stated that the petitioner has committed rape upon her and on the alleged date of occurrence the victim was minor and the petitioner was absconding since 2017 more than six years.

6. Considering the aforesaid facts that there is direct allegation against the petitioner supported by the statement of victim recorded under Section 164 of the Cr. P.C., I am not inclined to enlarge the petitioner on bail in connection with Chiraiya P.S. Case No. 32 of 2017 arising out of G.R. Case No. 143 of 2017 pending in the Court of Additional Chief Judicial Magistrate-IV, Sikrahana at Dhaka, East Champaran.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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