

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64816 of 2022**

Arising Out of PS. Case No.-123 Year-2021 Thana- RAJIVNAGAR District- Patna

LARNA KUMAR @ LADANA @ LADAN KUMAR S/o Mahesh Ravidas
R/v- Maghra Biharsharif, P.S.- Deep Nagar, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

4 24-04-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection
with Rajeev Nagar P.S. Case No.123 of 2021 dated 14.03.2021
registered for the offences punishable under Sections 363, 365,
366(A) and 34 of the Indian Penal Code.

3. As per the prosecution, the informant's
minor daughter aged about 13 years went missing on
06.03.2021 from a beauty parlour. Further this petitioner was
alleged to have eloped with the said victim girl.

4. The main submissions advanced by the
learned counsel for the petitioner are that the so-called victim
left the house of her father on account of having love affair with
this petitioner and she used to go to a particular beauty parlour,
from where she went away and petitioner had no role in the



victim's missing so the alleged offences of FIR are not made out against the petitioner and the so-called victim has returned back and she has recorded her statement under Section 164 Cr.P.C. and the petitioner has been languishing in jail since 19.05.2022.

5. Learned APP appearing for the State has opposed the bail prayer.

6. Considering the seriousness of the accusation appearing against the petitioner from the victim's statement recorded under Section 164 Cr.P.C. in which she not only made the allegation of kidnapping but also made the allegation of rape against the petitioner and the victim is stated to be 13 years old as per FIR and 14-16 years as per medical expert's opinion, in the opinion of this Court the petitioner does not deserve to the privilege of bail. Accordingly, his bail prayer stands rejected.

Petitioner may renew his bail prayer after examination of the so-called victim in his trial, if in the next one year the victim is not produced and examined as a witness in the petitioner's trial then the petitioner will also have the same liberty.

(Shailendra Singh, J)

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