

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65942 of 2022**

Arising Out of PS. Case No.-82 Year-2021 Thana- BAIKUNTHPUR District- Gopalganj

VIKASH KUMAR Son of Lallan Baitha @ Laln Baitha R/v- Pyarepur, P.S.-
Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh

For the Opposite Party/s : Mr. Parmanand Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 20-03-2023 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 Baikunthpur (Gopalganj)
P.S. Case no. 82 of 20221 instituted for the offence under
Section 366 of the Indian Penal Code.

As per allegation in the FIR, while the daughter of the
informant went out to attend the nature's call and did not return,
a search was made by her family members. During search, they
came to know that petitioner has allured her and eloped with
her.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. Victim
girl is a major girl and she was in love with the present



petitioner and out of her own sweet will, eloped with the petitioner. He has no criminal antecedent. Petitioner is languishing in judicial custody since 23.08.2022.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that victim girl was recorded u/s 164 Cr.P.C. wherein she has made direct allegation of rape against the petitioner.

Having heard learned counsel for the parties, in view of the gravity of the offence and the serious nature of allegation, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

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

(Sunil Kumar Panwar, J)

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