

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73892 of 2022**

Arising Out of PS. Case No.-262 Year-2018 Thana- MINAPUR District- Muzaffarpur

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PARMANAND BHAGAT @ PARMANAND PRASAD S/o Sukdeo Bhagat
R/o village- Korigawa, P.S.- Rajepur, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nitu Kumari

For the Opposite Party/s : Mr.Asha Devi

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

3 25-01-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The instant application for regular bail has been filed
by the petitioner instituted for the offence punishable under
Sections 366(A) of the Indian Penal Code.

It is a case of committing rape by the petitioner upon
the minor daughter, aged about 16 years, of the informant when
she was out of the house for coaching class. When she did not
return, search was made and informant came to know that
petitioner has kidnapped her on motorcycle.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Victim is a major girl and she herself fled away with
the petitioner on her sweet will due to love affair with the



petitioner. She has given statement under coercive pressure. Petitioner has no criminal antecedent and he is languishing in judicial custody since 14.9.2022.

Learned APP appearing for the State and learned counsel for the informant have opposed the prayer of bail and submitted that statement of the victim girl was recorded under Section 164 Cr.P.C., wherein she has made direct allegation of kidnapping and committing rape several times by this petitioner and his associates. At the instance of petitioner's sister, petitioner had applied vermilion upon the victim forcefully.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of kidnapping and committing rape against the petitioner, 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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