

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82131 of 2024

Arising Out of PS. Case No.-378 Year-2023 Thana- KONCH District- Gaya

Manish Das @ Manish Kumar Son of Lallan Das Resident of Village- Chet
Bigha PS- Konch District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Pathak

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for
offence under Section 366-A of the Indian Penal Code.

3. As per prosecution case, the minor daughter of the
victim went missing on 03.08.2023, later on, the informant
came to know that this petitioner kidnapped his daughter.

4. Learned counsel for the petitioner submits that
there is discrepancy in the statement of the victim, recorded
under Section 161 Cr.P.C. and 164 Cr.P.C. As per medical
report, the age of the victim is between 17-18 years and medical
report does not support the allegation. He further submits that
the victim, in her statement recorded under Section 164 Cr.P.C.,
has stated that if the petitioner would return her Rs. 17,000/-,



then she would withdraw her case. Petitioner is in custody since 05.07.2024.

5. However, learned A.P.P. for the State vehemently opposes the bail petition and submits that petitioner is named in the F.I.R. with specific accusation that he kidnapped the daughter of the victim and victim, in her 164 Cr.P.C. statement, has categorically stated that this petitioner forcibly committed rape with her and took away her to Delhi, kept her there for 14 days and continuously made physical relation with her.

6. Considering the nature of the offence and statement of the victim recorded under Section 164 Cr.P.C., the prayer for bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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