

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 15568 of 2020**

Arising Out of PS Case No.-61 Year-2019 Thana- HASANPUR District- Samastipur

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Pankaj Das @ Pankaj Kumar, aged about 24 years, Male, Son of Loha Singh,
Resident of Village - Dharharba, P.S.- Bithan, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate
For the State : Mr. Md. Arif, APP

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 12-06-2020

The matter has been heard *via* video conferencing due to lockdown imposed on account of the COVID-19 pandemic.

2. Heard Mr. Binod Kumar Sinha, learned counsel for the petitioner, who has assisted the Court through the telephone of the Court Master.

3. Mr. Shyam Bihari Singh, learned APP, who was assigned the brief has informed the Court Master that he is down with paralysis and, thus, unable to assist the Court. He has requested that the matter be conducted by some other learned APP. In view thereof, the Court has heard Mr. Md. Arif, learned



Additional Public Prosecutor (hereinafter referred to as the 'APP')
for the State.

4. The petitioner is in custody in connection with Hasanpur PS Case No. 61 of 2019 dated 26.03.2019 instituted under Sections 366A, 376/34 of the Indian Penal Code and 6 of The Protection of Children from Sexual Offences Act, 2012

5. The allegation against the petitioner and three others is of abducting the minor daughter of the informant for the purpose of marriage or human trafficking.

6. Learned counsel for the petitioner submitted that the allegation is false and the petitioner is innocent. It was submitted that the petitioner is in custody since 05.04.2019 and has no other criminal antecedent.

7. Learned APP submitted that from the order of the Court below rejecting the prayer for bail of the petitioner, it has been noted that the victim girl has recorded her statement before the Court under Section 164 of the Code of Criminal Procedure, 1973, in which she has stated that the petitioner along with co-accused had abducted her and that the petitioner has committed rape. It was further submitted that the victim was a minor.



8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

9. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P.Kumar/Anand Kr.

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