

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40742 of 2021**

Arising Out of PS. Case No.-580 Year-2020 Thana- MADHEPURA District- Madhepura

KRISHNA KUMAR DAS Son of Mahadeo Das Resident of Village -
Bharrahi Bazar, P.S.- Madhepura (Bharrahi O.P.), District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Yadav

For the Opposite Party/s : Mr.Pranav Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 22-11-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail registered for the offences punishable under sections 366A of the Indian Penal Code, 4 of the POCSO Act.

As per the prosecution case, the petitioner and other accused persons abducted minor daughter of the informant and this petitioner is also alleged to have forcibly solemnized marriage with her. It is further submitted that when the informant made complain to the incident, accused persons abused and assaulted the informant side.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case as no such occurrence took place. Occurrence is of 27.7.2020, whereas FIR has been lodged on 1.8.2020 and there



is no explanation of delay. Victim is major as per her Aadhar card. Petitioner is in custody since 15.2.2021.

Learned counsel for the State opposes the prayer for bail and submits that the Medical board has assessed the age of victim in between 14 to 16 years and there is direct allegation that he along with others kidnapped the victim and petitioner forcibly solemnized marriage with her.

Considering the nature of accusation and the materials collected during course of investigation against the petitioner, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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