

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56186 of 2021**

Arising Out of PS. Case No.-365 Year-2018 Thana- GHORASAHAN District- East
Champaran

=====

JAVED MIAN @ JAVED ALAM S/O FARID MIAN R/o village- Sathaura,
P.S.- Jitna (Ghorasahan), District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Lalan Kumar

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

2 07-12-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 363, 366A of the Indian
Penal Code.

As per the prosecution case, this petitioner along with
two other accused persons kidnapped the minor daughter of
informant with intention to marry her.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. It is submitted that there is two days delay in lodging the
FIR as the occurrence has taken place on 11.09.2018 but the FIR
has been lodged on 13.09.2018. Petitioner claims clean
antecedent and is in custody since 31.07.2021 and investigation



in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that victim in her statement recorded u/s 164 of the Cr. P. C. supported the prosecution case and stated that this petitioner committed sexual assault with her. The doctor assessed the age of victim as 16 years.

Considering the nature of accusation, gravity of the offence and the statement of victim recorded u/s 164 of the Cr. P. C., I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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