

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7846 of 2021

Arising Out of PS. Case No.-104 Year-2019 Thana- PIPRA District- Supaul

SACHEN PASWAN Son of Rajo Paswan @ Rajdeo Paswan Resident of
Village - Belo Khara, Ward No. 5, P.S. Pipra, Dist - Supaul.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 28-07-2021 In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Pipra PS Case No. 104 of 2019 registered under Sections 363, 366, 366A and 376 of the IPC.

Case of the prosecution is that the informant's daughter aged about 13 years has disappeared from her house. He has learnt that the petitioner has kidnapped her.

Learned Counsel for the petitioner submits that there is inordinate delay in lodging of the FIR. On 29.4.2019 the same has been lodged alleging that the victim has been missing since one month prior thereto i.e. since 24.03.2019. The victim is a major girl and as per Medical Board has age has been assessed to be 17 – 19



years.

Learned APP has opposed the prayer for bail. Drawing attention of the Court towards statement of the victim under Section 164 Cr.P.C., he submits that she has claimed to be minor and stated about being taken away forcibly by the petitioner and made other allegations that she was confined, beaten and also physically exploited.

Considering the rival submissions, this Court for the present is not inclined to allow the prayer for bail.

The petitioner is stated to be in custody since 17.06.2020. The Court would observe that without any unnecessary adjournments or undue delay the trial court should proceed so as to expedite conclusion of the trial at the earliest.

The prayer for bail is rejected.

(Madhuresh Prasad, J)

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