

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4091 of 2022

Arising Out of PS. Case No.-62 Year-2021 Thana- SAHARGHAT District- Madhubani

Jitender Yadav Son of Sri Chandra Shekhar Yadav Resident of Village-
Siktiyahi, P.S.- Bara, District- Mau. (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, Ag

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 15-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Saharghat P.S. Case No. 62 of 2021 registered
for the alleged offences under Sections 363 and 366(A) of the
Indian Penal Code.

As per prosecution case, the informant alleged that
his minor daughter was enticed away with intention to marry her
by holder of a mobile number mentioned in the F.I.R.

Learned counsel for the petitioner submits that
petitioner has been falsely implicated in this case as no
occurrence as alleged has ever taken place. The occurrence took

place on 05.06.2021 but the F.I.R was lodged on 11.06.2021 and there is no satisfactory explanation for the same. The victim girl was medically examined after recovery but no sign of sexual assault has been found at the time of examination and the age of the daughter of the informant is stated to be aged around 20 years. In her statement recorded under Sections 161 and 164 Cr.P.C., the victim has taken name of Sarfaraz for kidnapping or committing rape. During investigation, the petitioner was apprehended and he stated his name to be Jitendra Kumar Yadav. From the same confessional statement it appears that petitioner also used to call himself Md. Sarfaraz. Charge sheet has been submitted in this case and the petitioner is in custody since 30.08.2021.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that the petitioner has changed his name for enticing away the minor daughter of the informant and does not deserve to be enlarged on bail.

Perused the records.

Having regard to the facts and circumstances and statement of the victim girl recorded under Section 161 Cr.P.C. as well as under Section 164 Cr.P.C. which shows the victim girl to be a minor and allegation against the petitioner to be very

grave and serious, I am not inclined to enlarge the petitioner on bail at this stage, hence his prayer for bail is rejected.

However, learned trial court is directed to expedite the trial and conclude the same at the earliest under the mandate of the law.

If the trial is not concluded within six months the petitioner may renew his prayer for bail.

(Arun Kumar Jha, J)

daya/-

U		T	
---	--	---	--