

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41564 of 2021

Arising Out of PS. Case No.-89 Year-2021 Thana- BYPASS District- Patna

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ABHISHEK KUMAR Son of Shiwana Chouhan Resident of Village -
Noonmouiddinpur, P.S.- Punpun, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyamal Prakash
For the Opposite Party/s : Mrs. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-02-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 366(A) of the Indian Penal
Code and u/s 8 of POCSO Act.

As per the prosecution case, this petitioner kidnapped
the minor daughter of informant for the purpose of marriage.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case due to village politics and at the instance of Ranjan Kumar,
brother-in-law of the informant. It is submitted that prior to the
date of occurrence some altercation took place between brother-
in-law of informant and brother-in-law of petitioner in which
petitioner took side of his brother-in-law and on account of that
petitioner has been falsely implicated in this case. It is further



submitted that victim in her statement u/s 164 of the Cr. P. C. has stated that she herself had gone to Rajgir with her friends and she was not taken away by any person much less than this petitioner.

Learned counsel appearing for the State opposes the prayer for bail and submits that victim is minor and the victim in her statement u/s 164 of the Cr. P. C. has specifically stated that she was kidnapped by this petitioner on the alleged date of occurrence and she was brought by this petitioner to Biharsharif by motor cycle.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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