

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42027 of 2021**

Arising Out of PS. Case No.-30 Year-2021 Thana- BOCHAHAN District- Muzaffarpur

VIKASH KUMAR SANJAY PRASAD YADAV @ SANJAY RAI R/o
village- Thatiya Jasauli, P.S.- Piya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand
For the Opposite Party/s : Mr.Akhileshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

6 13-10-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Bochahan P.S. Case No. 30 of 2021 registered for the offences
punishable under Sections 363/366(A)/34 of the IPC.

As per prosecution case, there is allegation that
informant's daughter has been kidnapped. Informant alleged
that his daughter is in the house of Vikash Kumar (present
petitioner).

Learned counsel for the petitioner submits that
petitioner is in custody since 24.02.2021 and bears no criminal
antecedent. He further submits that petitioner is quite innocent



and has not committed any offence. As per the F.I.R. the informant had seen that some persons came with Scorpio and kidnapped his daughter and fled away towards Muzaffarpur but the informant did not register the F.I.R. immediately. The occurrence took place on 31.01.2021 but the F.I.R. was lodged on 06.02.2021 after six days delay without showing any reason for delay in lodging the F.I.R. The informant has only suspicion that his daughter is with the petitioner.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that there is allegation against the petitioner that the victim was available with the petitioner and same is quite consistent with statement of victim recorded under Section 164 of the Cr.P.C and it is also stated in her statement that the petitioner committed wrong against the victim girl.

The report of lower court vide letter no. 482 of 2022 dated 21.09.2022 shows that the trial would be concluded within six months.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with the statement of victim recorded under Section 164 of the Cr.P.C. as well as material available on record, I am not inclined



to grant bail to the present petitioner. Accordingly, prayer for bail of the present petitioner stands rejected.

However, learned trial court is directed to expedite the trial as early as possible.

(Alok Kumar Pandey, J)

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