

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34000 of 2022**

Arising Out of PS. Case No.-167 Year-2022 Thana- FORBESGANJ District- Araria

Md. Pappu S/o- Md. Ilahi Resident of Village Rampur Ward no. 4, P.S. -
Forbesganj, District - Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

2 08-09-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

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

Petitioner seeks regular bail in connection with
Forbesganj P.S. Case No. 167 of 2022 registered for the offences
under Sections 363, 366, 366(A) of the Indian Penal Code.

As per the allegation, the victim who happens to be
niece of the informant went missing from a temple and
thereafter, the informant and his relatives started searching for
the victim and in the meantime they received a call from SSB
Camp and got the information of recovery of the victim and
thereafter the informant and others reached at the said SSB



Camp and identified the victim and as per Sub-Inspector of SSB the victim was found to be in the possession of petitioner and co-accused persons and the petitioner was apprehended while the other co-accused persons managed to escape.

The main submissions advanced by the learned counsel Mr. Gopal Kumar Jha for the petitioner are that the petitioner has got no criminal antecedent, the so called victim recorded her statement before the Judicial Magistrate but she said nothing against this petitioner and according to her statement, any wrong or rape was not committed with the victim by this petitioner and as per her statement, two accused persons committed the alleged occurrence while as per the FIR, three persons including the petitioner are alleged to have been involved in the alleged occurrence of kidnapping.

Learned APP Mr. Surendra Kumar appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR and case record. The present case relates to kidnapping of a minor girl and there is no material to show enmity between the petitioner and the victim's family and as per the official of SSB, the victim was recovered from the possession of this petitioner and co-accused persons and the said victim supported the allegation of her



kidnapping in her statement recorded under Section 164 of the Cr.P.C. Considering the nature of the allegation appearing against the petitioner, in the opinion of this Court the petitioner does not deserve to the privilege of bail. Accordingly, his bail prayer stands rejected.

The learned trial Court is directed to expedite the trial of this petitioner and take steps to conclude the same in the next one year and if the trial of the petitioner is not concluded within the said period then the petitioner may renew his bail prayer.

(Shailendra Singh, J.)

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