

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34114 of 2022

Arising Out of PS. Case No.-656 Year-2020 Thana- MAJHAULIA District- West Champaran

ARJUN YADAV S/o Shankar Yadav @ Shankar Ray Resident of Village-
Gudara Ward No.4, P.S.- Majhauliya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey (APP)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-09-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Majhaulia P.S. Case No. 656 of 2020 for the offences under
Sections 366A, 506 and 34 of the Indian Penal Code and
section 12 of POCSO Act.

As per the prosecution story, the informant has
alleged that her daughter had gone outside to attend the call of
nature but disappeared and further allegation is that the co-
accused persons including the petitioner herein are persons
behind her abduction with the purpose of marrying her.

Learned counsel for the petitioner submits that they



are related to each other inasmuch as the victim girl is her niece (*Bhagni*) and as such there is no question of either kidnapping or solemnization of marriage.

Learned APP, on the other hand, draws the attention of the Court to the observation of the learned Additional Sessions Judge -VI-cum POCSO, West Champaran, Bettiah to show that the victim girl has made a specific allegation against this petitioner of having committed rape.

Considering the aforesaid nature of allegation against the petitioner, this Court is not inclined to grant privilege of bail for the present which is accordingly rejected.

(Rajiv Roy, J)

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