

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43640 of 2021

Arising Out of PS. Case No.-235 Year-2020 Thana- PIRPAINTI District- Bhagalpur

Chandan Kumar @ Chandan Yadav Son Of Anil Yadav R/O Village- Jalee Tola, Mohanpur, P.S.- Pirpainti, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Prakritita Sharma,Adv

For the Opposite Party/s : Mr.Md. Aslam Ansari,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 31-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

Petitioner seeks bail in a case registered for the offences punishable under Sections 366(A)/34 of the Indian Penal Code, Section 8 of POCSO Act and Sections 3(i)(r)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The prosecution case, in short, is that the informant, who is Kharwar by his caste which comes under SC/ST. The informant alleged that on 28.11.2020 this petitioner, who is Tractor driver, had entered into his house secretly, was



apprehended by them but they released due to intervention of relatives. On enquiry, it was revealed that the petitioner had taken away his daughter with ill intention and has kept in his house. When father-in-law of the informant talked to parent of the petitioner, they assured to return her within one- two days. On 03.12.2020 when they again visited the house of the petitioner, his parent refused to hand over the girl and demanded money for the same.

Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that it appears from the FIR that the victim girl was missing since 01.12.2020 and the present FIR has been instituted on 05.12.2020.

Vide order dated 10.03.2022, a report was called for with regard to the stage of the trial. Report reveals that the charge has been framed on 29.11.2021 and four prosecution witnesses have been examined and the case is fixed for evidence.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with POCSO Case



No.131 of 2020 arising out of Pirpanti P.S.Case No.235 of 2020
pending in the court of learned Special Judge-cum-Additional
District and Sessions Judge-VII, Bhagalpur.

Prayer is refused.

However, the learned Trial Court is directed to
expedite the trial.

(Rajesh Kumar Verma, J)

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