

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34800 of 2022

Arising Out of PS. Case No.-54 Year-2021 Thana- MATIYARIA District- West Champaran

Prakash Ram S/o Bihari Ram Resident of Village- Lachnauta, P.S.- Gaunaha,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 17-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Matiyariya P.S. Case No. 54 of 2021 lodged under Sections
366A/34 of the I.P.C.

As per the prosecution case, the allegation of
kidnapping of informant's daughter is there. Since, the daughter
is minor, therefore, POSCO Act is also added in the F.I.R.

Learned counsel for the petitioner submits that it is
out and out false case. Learned counsel further submits that
from the F.I.R. itself, it transpires that the date of occurrence is
06.07.2021, whereas admittedly the present case has filed on

14.07.2021 that is lapse of about 8 days. Learned counsel for the petitioner further submits that statement of Section 164 is attached as Annexure-2 from where it transpires that there is nothing adverse against the present petitioner.

Learned counsel for the State opposes the prayer for bail and submits that matter is related to POSCO. Admittedly, the victim girl is juvenile and POSCO Act is added in the present case. According to which trial has to be concluded within one year from the date of cognizance.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present but the petitioner may renew his prayer for bail one year after date of taking cognizance in this case.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J)

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