

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46952 of 2021

Arising Out of PS. Case No.-104 Year-2019 Thana- LADANIA District- Madhubani

HARIOM SINGH Son of Jibachh Prasad Singh Resident of Village -
Manharba, Post - Belahi, P.S. - Ladaniya, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 363, 366A and 34 of the Indian Penal Code read with Section 12 of the POCSO Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 24.06.2019, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the informant alleges that in the night of 05.06.2019 and 06.06.2019, the petitioner along with Anek Devi and Radhe Shyam Singh kidnapped her minor granddaughter on a four wheeler vehicle, further since the informant witnessed the occurrence hence she went to the house of Jibachh Singh and



informed him about the occurrence on which Jibachh Singh threatened the informant and said that his son would marry her granddaughter.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case by the informant, the petitioner and the victim were in love and they eloped. It is further submitted that the doctors have assessed the victim in between 15-16 years and have not found any sign of rape. Learned counsel submits that the F.I.R. was instituted after a delay of 13 days without any plausible explanation though the victim has supported the prosecution case in her statement recorded under Section 164 of the Cr.P.C.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that no doubt there was an inordinate delay in instituting the F.I.R. but then the trial has started and the witnesses have been examined as it has come in the impugned order also.

Considering the fact that the trial has commenced and eight prosecution witnesses have been examined, as submitted by the learned counsel for the petitioner, the Court for the present is not inclined to grant bail to the petitioner. His prayer for bail is thus rejected.



The learned court below is directed to ensure that the trial is completed within a period of eight months from today. In the event, if the trial is not completed within the aforesaid period, the petitioner will be at liberty to renew his prayer for bail before the learned court below itself.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

