

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51948 of 2021**

Arising Out of PS. Case No.-229 Year-2018 Thana- SULTANGANJ District- Bhagalpur

Niraj Yadav@Niraj Kumar Son Of Singheshwar Yadav @ Maheshwar Yadav
Resident Of Village- Chhoti Lagar, P.S.- Parbatta, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Opposite Party/s : Mr.Ram Naresh Ray

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 20-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Sultanganj P.S. Case No. 229 of 2018, registered for the offence under Section 366(A) of the Indian Penal Code, but later on, Section 376 of the I.P.C. and Section 6 of the POCSO Act were added in the F.I.R.

As per the F.I.R., this petitioner is alleged to have kidnapped the minor daughter of the informant and thereafter, established physical relation with her.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case. Doctor has not found any evidence of sexual assault upon the victim and assessed her age between 16 – 17 years. Petitioner is in custody since 21.12.2020.



However, learned A.P.P. for the State opposed the bail petition and submitted that victim girl has supported the prosecution case in her statement recorded under Section 164 Cr.P.C. and alleged that this petitioner forcibly established physical relation with her.

Considering the nature and gravity of the offence, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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