

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52944 of 2021

Arising Out of PS. Case No.-98 Year-2021 Thana- BRAHMPURA District- Muzaffarpur

SHAQUIB NEYAZ, Son of Md. Shakil @ Shakil Ahmad Resident of
Mohalla- Brahmpura near Noori Maszid, P.S.- Brahmpura, District-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-02-2022 Heard the learned counsel for the petitioner and the
learned APP for the State, through Video Conferencing.

The petitioner seeks bail in connection with
Brahmpura P.S. Case No. 98 of 2021, instituted for the offences
under Sections 366(A)/120(B) of the Indian Penal Code read
with Section 4, 8, 12 of POCSO Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 03.03.2021, he is a person with
clean antecedent, charge-sheet has been submitted and the
informant alleges that his minor daughter was kidnapped by the
petitioner who is a science teacher of the victim.

The learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case and victim



herself had accompanied him to Nepal and further after returning from Nepal, the victim's statement was recorded under Section 164 Cr.P.C. wherein she has also disclosed that she was taken to Nepal by the petitioner and thereafter she was brought to Sitamarhi where she was kept in confinement for eight days but does not allege that the petitioner committed any bad acts.

The learned A.P.P. vehemently opposes the bail application and submits that the petitioner was the teacher of the victim, the victim is a minor, the responsibility of the petitioner towards his student was much more than the parents and the fact that the petitioner without informing parents of the victim took the victim to Nepal and kept her confined in Sitamarhi for eight days, as disclosed by the victim in her statement under Section 164 of the Cr.P.C., in itself demonstrate the conduct of the petitioner.

Considering the submissions made by learned APP, the Court is not inclined to grant bail to the petitioner for the present, therefore, the prayer for bail of this petitioner is hereby rejected.

(Satyavrat Verma, J)

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