

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3522 of 2022

Arising Out of PS. Case No.-403 Year-2020 Thana- CHOUTARWA District- West
Champaran

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ABU BAKAR Son of Late Ahmad Miyan @ Lal Sipahi Resident of Village-
Kolhua, At present, Village- Bahuarwa, P.S.- Chautarwa, District- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 06-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 366A and 34
of the Indian Penal Code.

As per the prosecution case, 15 year old minor
daughter of the informant was taken away by the petitioner on
his motorcycle. It subsequently transpired that other accused
persons including the petitioner herein also had a hand in his
kidnapping.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. The
daughter of the informant is a major aged about 20 years and
she married the petitioner out of her own volition. So far as the



statement under section 164 Cr.P.C. is concerned, the same was made under coercion. The daughter of the informant subsequently lodged a complaint case against the members of her/informant's family, copy of which has been brought on record as annexure to the supplementary affidavit filed on behalf of the petitioner. The petitioner is in custody since 1.7.2021, chargesheet has been submitted in the case and he has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, the contents of the statement under section 164 Cr.P.C. of the minor daughter of the informant wherein she makes specific allegation against this petitioner of blackmail and forcing himself upon her, the Court is not inclined to enlarge the the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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