

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7853 of 2023

Arising Out of PS. Case No.-38 Year-2022 Thana- AAJAM NAGAR District- Katihar

Shambhu Parmanik Son Of Late Sudhir Parmanik R/O Village- Gaigatta, P.S.-
Azamnagar, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
16.02.2022 in connection with G.R. No. 655 of 2022, arising out
of Azamnagar P.S. Case No. 38 of 2022, F.I.R. dated 14.02.2022
for the offences punishable under Sections 363, 366A, 34 of the
Indian Penal Code but the police has been submitted the charge
sheet under Sections 363, 366A and 376/34 of the Indian Penal
Code as well as under Section 4 of the POCSO Act.

According to prosecution case, in brief as per the
written application of informant is that on 11.02.2022 at about
6:30 P.M. his daughter/victim girl had gone to Gaighat Chowk
from her house for purchasing of articles and after expiry of
many time when she did not return her home then he along with
his family members started to search her and during this course,
he came to know that his neighbours namely, Shambhu Pramanik



(petitioner), Shankar Pramanik, Raj Kumar Pramanik @ Deepu, Arjun Pramanik and Shanti Devi have taken away his daughter by enticing her with intention of creating marriage.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the basis of material available on record and case diary submits that the statement of the victim girl was recorded under Section 164 of Cr.P.C. in which she has categorically stated that the petitioner has committed rape upon her and the medical report also supported the allegation as alleged in the F.I.R.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with G.R. No. 655 of 2022, arising out of Azamnagar P.S. Case No. 38 of 2022 pending in the court of learned Additional District Judge-VII-cum-POCSO Court, Katihar.

Prayer is refused.

(Rajesh Kumar Verma, J)

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