

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12304 of 2023

Arising Out of PS. Case No.-79 Year-2022 Thana- DHARHARA District- Munger

Sukhen Kumar @ Potri Son Of Bhola Yadav R/V- Maharn, P.S- Dharhara
Dist- Munger

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Patel

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 08-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 341, 448, 366(A), 379, 504, 506/34 323 of the Indian Penal Code whereas Section 8 of POCSO Act has also been added in charge-sheet.

The prosecution case in nutshell is that petitioner along with other co-accused persons entered in the house of informant and confiscated the wife of informant and they also took gold and silver ornaments



worth Rs. 5 lakhs, cash of Rupees 1.5 lakhs, mobile phones and some bank paper. It is further alleged that the accused persons abducted the minor daughter of informant on the point of pistol.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. It is further submitted that daughter of informant has love affair with the co-accused Vikash Kumar and she herself eloped with him along with household articles. It is also submitted vide para 10 of the petition that after recovery of the victim girl, she has been examined by the doctor and doctor has not found any sign of sexual intercourse. Moreover, the petitioner is in judicial custody since 17.05.2022.

Learned APP appearing on behalf of the State vehemently opposed the prayer of the petitioner and submitted that petitioner is named in F.I.R. The victim has stated about the complicity of petitioner in committing wrong with her, in her statement recorded



u/s 164 of Cr.P.C. During investigation, witnesses have supported the prosecution case.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

Learned trial court is directed to expedite the trial and conclude the same as early as possible.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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