

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20381 of 2023

Arising Out of PS. Case No.-59 Year-2022 Thana- TETERHAT District- Lakhisarai

Md. Ikrar Miya Son Of Naim Miya R/O Tetarhat, Post- Tetarhat, District-
Lakhisarai, Pin-811311

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishal Kumar, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 28-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 06.07.2022, in connection with Tetarhat P.S. Case No. 59 of 2022, F.I.R. dated 30.06.2022 registered for the offences punishable under Sections 363, 366(A)/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 27.06.2022 at about 06:00 A.M. the accused persons including the petitioner are alleged to have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely 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.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the statements of the victim was recorded under Section 161 of the Cr. P.C. as well as 164 of the Cr. P.C. in which she has categorically stated that the petitioner had abducted and sold her in Sonipat, Haryana and the victim was recovered from Sonipat, Haryana and there is direct and specific allegation against the petitioner that he had sold the victim in Sonipat and the victim was minor at the time of the occurrence.

6. Considering the aforesaid facts and circumstances of the case that there is direct and specific allegation against the petitioner supported by the statement of the victim, I am not inclined to enlarge the petitioner on bail in connection with Tetarhat P.S. Case No. 59 of 2022 pending in the Court of learned Additional Sessions Judge-VI-cum-Special Judge POCSO Court, Lakhisarai.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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