

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14082 of 2023

Arising Out of PS. Case No.-166 Year-2020 Thana- KORHA District- Katihar

Chhotu Kumar Sah @ Dev Kumar Sah S/O Ram Nath Sah Resident Of
Village- Ghuski Siwana, P.S.- Barari, District- Katihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 01-08-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 363, 366(A) of the Indian Penal Code.

It is a case of commission of kidnapping and
rape to the minor daughter of the informant.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in this case. The petitioner and the
victim were in love with each other and when the
petitioner denied to perform marriage with the daughter



of the informant, the informant lodged this false case against the petitioner. The petitioner is languishing in custody since 29.08.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that the specific accusation of committing wrong is against the petitioner and the victim in her 164 Cr.P.C statement has also specifically alleged against the petitioner that he forcefully took the victim with him and forcefully performed marriage and out of the forceful sexual assault, a child was also born.

Considering the fact that thrust of accusation is against the petitioner, this Court is not inclined to grant bail to the petitioner.

The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial



and conclude the same within a period of six months.

The petitioner will be at liberty to renew his prayer for bail if the trial is not concluded within six months.

(Sunil Kumar Panwar, J)

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