

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17583 of 2023

Arising Out of PS. Case No.-200 Year-2021 Thana- LADANIA District- Madhubani

Surya Narayan Mahto @ Suraj Mahto Son Of Suwai Mahto Village- Sidhap
Kala, P.S- Ladaniya, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar A.G. Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 11-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
17.07.2021 in connection with Ladaniya P.S. Case No. 200 of
2021 F.I.R. dated 04.07.2021 for the offences punishable under
Sections 363 and 366A of the Indian Penal Code.

3. According to prosecution case, the petitioner is
alleged to have abducted the daughter of the informant for the
purpose of marrying her.

4. 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 he
has not committed any offence. He further submits that the
statement of the victim was recorded under Section 164 of the



Cr.P.C., in which she has categorically stated that the petitioner has committed rape upon her and the medical report of the victim also suggest that she has been sexually assaulted. He further submits that the police after investigation submitted the charge-sheet under Sections 363, 366 and 377 of the Indian Penal Code.

5. Vide order dated 27.07.2023 a report was called with regard to the stage of the trial. Report of the learned trial court dated 04.08.2023 reveals that on 01.08.2022, the charge has been framed against the petitioner and altogether seven prosecution witnesses have been examined. He further submits that the case is pending for recording of statement of the petitioner-accused under Section 313 of the Cr.P.C.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner.

7. Considering the aforesaid facts and the report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection with Ladaniya P.S. Case No. 200 of 2021 pending in the court of learned Judicial Magistrate – Ist, Madhubani.



8. Prayer is refused.

9. However, the learned Trial Court is directed to expedite and conclude the trial at the earliest.

(Rajesh Kumar Verma, J)

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