

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23799 of 2023

Arising Out of PS. Case No.-663 Year-2022 Thana- RAJAOLI District- Nawada

VIKRAM KUMAR Son of Arjun Paswan R/V- Babhni (Bbhni) PS- Rajauli,
Dist- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi Wife of Sanjay Prasad R/V- Bhagwanpur, PS-Rajauli, Dist-
Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 3 19-07-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. Learned counsel for the State submits that in
compliance of the order dated 23.05.2023, learned Additional
Public Prosecutor has informed the officer-in-charge of
concerned police station and the officer-in-charge has informed
that he has informed the informant.
3. Petitioner seeks bail, who is in custody since
06.12.2022 in connection with Rajauli P.S. Case No.663/2022,
dated 03.12.2022, for the offences punishable under Sections
363, 366(A) of the IPC & Sections 4 & 6 of the POCSO Act.
4. According to prosecution case, the petitioner along



with co-accused persons, namely, Arjun Paswan and Vikash Paswan kidnapped the daughter of the informant namely Sinki Kumar, while she went for coaching.

5. Learned counsel for the petitioner submits that the 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. He further submits that the alleged date of occurrence is 01.12.2022 but the present F.I.R. has been instituted on 03.12.2022 after delay of two days without giving any explanation of delay.

6. Learned Additional Public Prosecutor for the State on the other hand on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioner and submits that it has come during investigation that the victim was minor at the time of occurrence and the consent of the victim, who is a minor has no evidentiary value in the eye of law.

7 Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Rajauli P.S. Case No.663/2022, pending in the Court of learned Additional



District and Sessions Judge-VI-cum-Special Excise POCSO
Act, Nawada.

8. Prayer is refused.

(Rajesh Kumar Verma, J)

amit/-

U		T	
---	--	---	--

