

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28760 of 2023

Arising Out of PS. Case No.-14 Year-2022 Thana- LODIPUR District- Bhagalpur

UTTAM DAS son of Ashok Das R/o Village- Bishanpur Jichho P.S- Lodipur
Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 04-09-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 31.08.2022 in connection with Special POCSO Case No.17 of 2022 (arising out of Lodipur P.S. Case No. 14 of 2022), F.I.R. dated 19.01.2022 registered for the offence punishable under Sections 363,366(A) of the Indian Penal Code and Section 8 of POCSO Act.

3. The prosecution case, in short, is that on 17.01.2022, accused persons including the petitioner are alleged to have kidnapped the minor daughter (the victim) aged about 17 years of the informant.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. In fact the petitioner was in love with the victim and the petitioner has solemnized the marriage with the victim and the statement of the victim was recorded in which she has categorically stated that she has performed the marriage with the petitioner.

5. Vide order dated 24.07.2023, a report was called for with regard to the present status of the trial. Report of the learned Trial Court dated 18.08.2023 reveals that all witnesses including the Doctor and I.O. have been examined and the case is at the stage of arguments.

6. Considering the report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection with Special POCSO Case No.17 of 2022 (arising out of Lodipur P.S. Case No. 14 of 2022) pending in the court of learned Addl. District and Sessions Judge-6th-cum-Exclusive Special Judge, POCSO, Bhagalpur.

7. Prayer is refused.



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

(Rajesh Kumar Verma, J)

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