

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32040 of 2023

Arising Out of PS. Case No.-67 Year-2022 Thana- PALANWA District- East Champaran

RAM BAHADUR YADAV Charitra Yadav Resident of Village and Post-
Murwa, PS-Palanwa, Dist-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Ojha, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since 20.08.2022 in connection with Palanwa P.S. Case No. 67 of 2022, F.I.R. dated 23.03.2022 for the offences punishable under Sections 363(A), 366(A), 34 of the Indian Penal Code, later on Sections 302, 120(B), 201, 34 of the Indian Penal Code and Section 4/8 of the POCSO Act was added.

3. According to prosecution case, the informant alleged that the F.I.R. named accused persons including the petitioner abducted his daughter namely, Khusi Kumari aged about 16.5 years. When the victim was not recovered, it came to know that the victim has been killed by the accused persons.

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 the petitioner has not committed any offence as alleged in the F.I.R. He further submits that similarly situated, co-accused, namely, Aniruddh Ram @ Anirudh Ram has been granted bail by a co-ordinate Bench of this Hon'ble Court vide order dated 01.08.2023 passed in Cr. Misc. No. 17562 of 2023.

5. Vide order dated 08.08.2023 a report was called for with regard to the present stage of trial. Report dated 16.08.2023 of the learned Trial Court reveals that out of six charge sheet witnesses, four witnesses have already been examined and the case is pending for examination of rest of the witnesses.

6. Considering the aforesaid facts and in view of the report of the learned Trial Court that the trial is in advance stage, I am not inclined to enlarge the petitioner on bail in connection with Palanawa P.S. Case No. 67 of 2022 pending in the court of learned Additional District and Sessions Judge-VII-cum-Special Court, POCSO, East Champaran, Motihari.

7. Prayer is refused.

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

(Rajesh Kumar Verma, J)

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