

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33880 of 2022

Arising Out of PS. Case No.-15 Year-2020 Thana- CHANPATIA District- West Champaran

RATNESH KUMAR Son of Sri Naresh Das @ Naresh Mahto Resident of
Village - Motichhapar, P.s.- Chanpatia (Kumarbag), Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 13-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under section 363, 366A and 34 of the Indian Penal Code, section 8 of POCSO Act and sections 3(1)(r)(s)(w)(i) and 3(2)(v) (va) of the SC/ST Act.

As per the prosecution case, it is stated by the informant that his thirteen year old minor daughter was taken away by the accused Jitendra Yadav and the petitioner for the purpose of marriage. Her whereabouts are not known.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Referring to various paragraphs of the case diary it is submitted that material has transpired in course of investigation that the



daughter of the informant and the co-accused Jitendra Yadav were close friends and for this reason they eloped. The petitioner has been falsely implicated in the case only for the reason that he happens to be a close friend of the aforesaid Jitendra Yadav. There is a delay of 6 days in lodging of the FIR. Petitioner is in custody since 15.3.2022 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, the petitioner being named in the FIR, the age of the daughter of the informant being 13 years and as per the material that has transpired in course of investigation the whereabouts of the daughter of the informant still not being known, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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