

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38065 of 2023

Arising Out of PS. Case No.-26 Year-2023 Thana- PAKRIDAYAL District- East Champaran

Bihari Sahani S/O Krishna Sahani R/O Village Sirsa, P.S. Motihari Muffasil ,
Dist. East Champaran

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 21-09-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 363, 365, 366A/34 of the Indian Penal Code and sections 4 & 8 of the POCSO Act .

3. As per the prosecution case, petitioner and other accused persons kidnapped 15 years old minor daughter of the informant with a view to marry or to sell her in the market.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to dirty village politics and land dispute. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the prayer for bail. He submits that the victim has supported the prosecution case in her 164 Cr.P.C. statement. Besides this, the Medical Board assessed age of the victim to be 15/16 years.



6. Considering the nature and gravity of allegation,
prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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