

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 39190 of 2022

Arising Out of PS. Case No.-538 Year-2021 Thana- MAJHAULIA District- West Champaran

Majnu Mian @ Majlum Mian Son of Khalil Mian @ Md. Khalil Resident of
village- Purandaha, Ward No.- 14 P.S.- Triveniganj, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 04-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Section 366(A) of the Indian Penal Code
read with Section 8 of POCSO Act.

As per F.I.R., the prosecution case, in brief, is that
when the daughter of the informant aged about 15 years went
from her house to her village tailor to bring her cloth, in the way
the petitioner along with three unknown persons abducted her
for the purpose of marriage.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case. There is
delay of 7 days in lodging the F.I.R. The Petitioner has got no



criminal antecedent and he is languishing in judicial custody since 26.09.2021.

Learned APP appearing for the State has vehemently opposed the prayer of bail and submitted that the petitioner is named in the F.I.R. and as per medical report, the victim girl is minor. The statement of the victim girl recorded under Section 164 of Cr.P.C. which is annexed with the case diary, wherein she has stated about the complicity of the petitioner. She has specifically stated that the petitioner has committed wrong with her. It is further submitted that during investigation the witness of this case supported the prosecution.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation against the petitioner, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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