

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46910 of 2022

Arising Out of PS. Case No.-101 Year-2021 Thana- UCHKAGAON District- Gopalganj

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MOZZAM ALI @ MOZAM ALI S/O ISHFAQUE MIAN @ MD.
ASHFAQUE Resident of village- Jhirwa, P.S.- Uchakagaon, District-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ugranath Mallik, Adv.
For the Informant/s	:	Mr. Vinod Pandey, Adv.
For the State	:	Mr. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-02-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in connection with
Uchakagoan P.S. Case No. 101 of 2021 instituted for the offence
under Sections 363, 366A of the Indian Penal Code.

Allegation against the petitioner is of abduction of
minor daughter of the informant, aged about 17 years, for the
purpose of marriage. After recovery of victim, she also stated
that this petitioner committed wrong with her and also confined
in a room.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. The petitioner
and the informant and next door neighbour and due to village



politics the petitioner has falsely been implicated in this present. It is further submitted that medical report of the victim does not support the prosecution case. The petitioner is languishing in judicial custody since 31.5.2022.

Learned APP appearing for the state have learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted there is direct allegation against the petitioner. Further, it is submitted that the victim recovered and stated in her statement recorded under section 164 of Cr.P.C that the petitioner confined her in a room and committed rape upon her. During investigation, the witnesses also supports the prosecution version.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

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

(Sunil Kumar Panwar, J)

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