

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52934 of 2023

Arising Out of PS. Case No.-431 Year-2022 Thana- BHABHUA District- Kaimur (Bhabua)

AMARJEET SAH SON OF MUNNA SAH RESIDENT OF VILLAGE-
BHADARI, PS- CHAINPUR, DIST- KAIMUR AT BHABUA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan

For the Opposite Party/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 06-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Bhabua P.S. Case No. 431 of 2022 instituted for the offence under Sections 341, 323, 366(A), 376, 379, 504/34 of the Indian Penal Code, Section 6 of the POCSO Act and sections 3(i)(r)(s), 3(2)(v) of the SC/ST Act.

3. According to the FIR, the petitioner is alleged to have abducted the minor daughter of the complainant and committed rape with her on the behest of solemnization of marriage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in this case due to dirty village politics. For the



alleged occurrence of 8.4.2022, complaint case was lodged in delay about two months. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 5.1.2023.

5. Learned APP appearing for the state has vehemently opposed the prayer of regular bail and submitted that the petitioner is named in the FIR upon whom the specific allegation of abduction and rape has been made. The victim girl supports the prosecution allegation in her statement recorded u/s 164 of the Cr.P.C. in which she stated the the petitioner took her to Kolkata where he forcefully committed wrong with her. It is further submitted that witnesses of this have also supported the prosecution case.

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

7. 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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