

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56261 of 2022

Arising Out of PS. Case No.-244 Year-2022 Thana- KOTWA District- East Champaran

ALAM MIYAN S/O HABIB MIYAN Resident of village- Banbir, P.S.-
Kotwa, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. RAMDHYAN RAM S/O LATE GANESH RAM Resident of village-
Banbirwa, Ward No- 11, P.S.- Kotwa, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 23-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Kotwa P.S. Case No. 244 of 2022 instituted for the offence under Sections 363, 366(A)/34 of the Indian Penal Code, sections 8/12 of the POCSO Act and sections 3(i)(r), 3(1)(w) of the S.C./S.T. Act.

3. As per allegation in the FIR, the informant alleged that the petitioner along with other co-accused persons abducted the daughter of the informant for illegal purpose. The accused persons are also alleged to have abused the informant by taking his caste name.

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. The victim is major who stated her aged about 22 years. It is also submitted that good sense has been prevailed between the parties. The petitioner has got no criminal antecedent and languishing in judicial custody since 18.6.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the victim girl was recovered who supports the prosecution allegation in her statement recorded u/s 164 of the Cr.P.C. She stated that the petitioner took away her forcibly and committed wrong with her in a rented house. It is further submitted witnesses of this case have supported the prosecution.

6. 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.

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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