

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63913 of 2023

Arising Out of PS. Case No.-191 Year-2023 Thana- KOTWA District- East Champaran

Priyanshu Sinha @ Dheeraj Prasad Son Of Jaiprakash Prasad @ Jay Prakash Mahto Resident Of Bahadurpur Panchayat Gamhariya, P.S.-darpa, District-East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kr. Tiwari, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-12-2023 1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kotwa P.S. Case no. 191 of 2023 registered under sections 363 and 366A of the Indian Penal Code and sections 8 and 12 of the Protection of Children from Sexual Offences Act.

3. As per the prosecution case, the informant states that her sixteen year old daughter was taken by the petitioner and four others. She was not to be found in spite of search.

4. It has been submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. There is an unexplained delay of 19 days in lodging of the F.I.R. The daughter of the informant returned, investigation in



the case concluded and charge-sheet has been submitted in the case. The petitioner is in custody since 20.5.2023.

5. The application for bail is opposed by learned APP for the State who submits that in her statement under section 164 Cr.P.C., the daughter of the informant states about the petitioner having misbehaved with her, though she states that she went out of her own free will.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the contents of the statement under section 164 Cr.P.C, the age of the victim having been determined in the medical report as 16 ½ -17 ½ years, in the background of the petitioner himself being married from before, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. In the facts and circumstances of the case, liberty is granted to the petitioner to renew his prayer for bail after framing of charge.

(Partha Sarthy, J)

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