

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64096 of 2023

Arising Out of PS. Case No.-33 Year-2023 Thana- PIPRAKOTHI District- East Champaran

Rudal Sahni Son Of Kailash Sahni Resident Of Village- Marpa Kothi Bokane,
Mishra Tola, PS- Patahi, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate
For the Opposite Party/s : Mr. Chandra Sen Prasad 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 Pipra Kothi P.S. Case
no. 33 of 2023 registered under sections 363, 366A and 34 of
the Indian Penal Code and section 8 of the POCSO Act.

3. As per the prosecution case, the informant states
that ten named accused persons including the petitioner herein
kidnapped the daughter of the informant for the purpose of
marriage. It is further stated that inspite of search she was not to
be found. On the informant requesting the accused persons
including the petitioner to return his minor daughter, he was
abused and forced to return.

4. It has been submitted by learned counsel for the



petitioner that the petitioner has been falsely implicated in the case. No such occurrence has taken place. The cause of false implication is that the accused named at serial nos. 6 to 10 who are resident of the same village and they are on inimical terms with the informant and the petitioner being related to the said accused persons also has been falsely implicated. There is inordinate delay of eleven months in lodging of the F.I.R. In so far as the occurrence is said to have taken place on 27.1.2022, the F.I.R was registered only on 3.2.2023. The petitioner is in custody since 27.5.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation and the minor daughter of the informant not having been recovered, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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