

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73041 of 2022

Arising Out of PS. Case No.-77 Year-2022 Thana- BEUR District- Patna

SUNNY KUMAR S/o Mukesh Chandravanshi @ Mukesh Ram R/o Village-
Hasanpura, P.S.- Beur, Distt- Patna, permanent resident of Lakhisarai, Kali
Pahari, P.S.- and Distt- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
21.02.2022 in connection with Spl. Case No.62/2022, arising
out of Beur P.S. Case No.77/2022, F.I.R. dated 15.02.2022, for
the offences punishable under Sections 363 of the IPC but later
on the police after investigation submitted the charge sheet
under Section 363, 366A, 376 of the IPC & Section 9/10 of
POCSO Act.

According to prosecution case, the petitioner is alleged
to have kidnapped the minor daughter of the informant.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that in fact the petitioner was in love with the victim and the petitioner has not committed any offence as alleged in the F.I.R.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that the victim was recovered and her statement under Section 164 of the Cr.P.C. was recorded, in which, she has categorically stated that she was sexually assaulted by the petitioner and the victim was minor at the time of occurrence and the medical report also confirms that the victim was minor at the time of occurrence.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Spl. Case No.62/2022, arising out of Beur P.S. Case No.77/2022, pending in the court of learned Additional Sessions Judge-VI-cum-Spl. Judge POCSO, Patna.

Prayer is refused.

(Rajesh Kumar Verma, J)

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