

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1060 of 2023

Arising Out of PS. Case No.-188 Year-2022 Thana- LODIPUR District- Bhagalpur

NITISH KUMAR Son of Yogendra Mandal Permanent Resident of Ramasi,
P.S.- Sanhoula, District - Bhagalpur, State - Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Neelambar Jha

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed by the petitioner in a case instituted for the offence punishable under Sections 363, 366-A of the Indian Penal Code and Section 8 of the POCSO Act.

It is a case of abduction of the informant's daughter aged about 13 years by the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Informant's daughter and petitioner are known to each other and both were in talking term. Victim girl has denied her medical examination. In her statement, recorded u/s 164 Cr.P.C. she has not made allegation of physical exploitation. Petitioner



is languishing in judicial custody since 31.7.2022.

Learned APP appearing for the State has opposed the prayer of bail and submitted that victim girl is minor and statement of the victim girl was recorded under Section 164 Cr.P.C., wherein she has made direct allegation of forceful marriage against the petitioner. During investigation, several witnesses have supported the prosecution story.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of abduction of the minor girl of the informant against the petitioner, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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