

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12074 of 2024

Arising Out of PS. Case No.-264 Year-2021 Thana- BAJPATTI District- Sitamarhi

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Saroj Kumar @ Saroj Paswan Son of Chandra Kishore Paswan Resident of
Village-Harpurwa Ward No. 8, P.S.-Bajpatti, District-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 03-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bajpatti P.S. Case No. 264 of 2021, lodged on 04.09.2021 under
Sections 363, 366(A) of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against 4 named accused persons including the present
petitioner. The allegation against the present petitioner is that he
has kidnapped the daughter of the informant who is minor and
also looted ornaments worth Rs.51,000/-.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that both the informant and petitioner belongs to
the same village and due to land dispute between their families
with ulterior motive and intention, the present case has been
lodged by the informant against the present petitioner. Counsel



further submits that the alleged victim girl has already been recovered by the police. Counsel also submits that the criminal antecedent of the petitioner is not clean and there is one criminal case pending against him in which he is on bail. The petitioner is in custody since 03.08.2023 in the present case. Counsel submits that charge-sheet has already been submitted in this case.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that *vide* order dated 05.03.2024, this Hon'ble Court has pleased to call for case diary as well as statement under section 164 Cr.P.C. and upon perusal of the statement under section 164 Cr.P.C., the allegation against the present petitioner is true.

6. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner in connection with Bajpatti P.S. Case No. 264 of 2021, pending before the learned A.D.J.-VI-cum-Special Judge (POCSO), Sitamarhi is **hereby rejected**.

(Dr. Anshuman, J.)

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