

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9439 of 2024

Arising Out of PS. Case No.-334 Year-2021 Thana- KALYANPUR District- East Champaran

Rambabu Singh S/O Vakil Singh R/O Village- Pakdi Dixit Tola Hanuman Nagar, P.S- Kalyanpur, Distt.- East Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Kalyanpur P.S. Case No. 334 of 2021 lodged under Sections 363 and 366A of the I.P.C. read with Section 8 of the POCSO Act.

3. As per the prosecution case, the F.I.R. has been lodged against two named and two unknown accused persons against whom there is allegation that informant's daughter has been kidnapped with a view to marry and also with a view to sell her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the present criminal case is the result of political rivalry which has taken place in the Panchayat election as the competitor of the petitioner has filed the present case only with a view to harass the petitioner. He submits that age of the



petitioner is about 42 years whereas the age of the victim is about 16 years. With a view to make stronger case, they have wrongly disclosed the age of the petitioner as 25 years in the F.I.R. which is absolutely wrong statement.

5. Counsel also submits that petitioner is a married person having his own wife and family and he has been falsely implicated in the present case.

6. Counsel for the petitioner submits that petitioner is in custody since 01.09.2023 having clean antecedent.

7. Learned counsel for the State opposes the prayer for bail and submits that the statement under Section 164 of the Cr.P.C., the victim has disclosed the story of kidnapping and also confirmed that she has been raped for next 2-3 days.

8. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected, but liberty is hereby granted to the petitioner that he may renew his prayer for bail one year after date of taking cognizance.

(Dr. Anshuman, J.)

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