

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11333 of 2024

In
CRIMINAL APPEAL (SJ) No.5060 of 2023

Arising Out of PS. Case No.-269 Year-2023 Thana- BANMANKHI District- Purnia

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Ravindra Kumar Sah @ Ravindra Kumar, Son Of Late Prithavi Chand Sah,
Resident Of Village- Pipra, Ps- Banmankhi, Dist- Purnia

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chulbulia Devi Wife Of Late Haribol Rishi Resident Of Village- Pipra, Ps-
Banmankhi, Dist- Purnia

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Mallick, Advocate
For the Opposite Party/s : Mr.Sadanand Paswan, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 18-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Special Case No. 269 of 2023 arising out of Banmankhi P.S.
Case No. 269/2023, lodged on 12.06.2023 under Sections 363,
366A, 376/323, 504/34 of the Indian Penal Code and Sections
4/6 of the POCSO Act and Sections 3(i)(r)(s)/3(2)(v) of the
SC/ST Act.

3. As per the prosecution case, the FIR has been
lodged against seven named accused persons including the
present petitioner with an allegation of kidnapping the minor
daughter of the informant in the name of marriage.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that from the bare reading of the FIR, the occurrence was started on 7th of August, 2022 and thereafter, indication of two different dates like 05.02.2023 and 08.06.2023 has been made but the FIR has been lodged only on 12.06.2022 and the delay has not been explained anywhere in the FIR. Counsel further submits that the entire case has been filed with false and frivolous allegations only with a view to create pressure and with ulterior motives. The antecedent of the petitioner is clean and he is in custody since 14.06.2023 having no criminal antecedent.

5. Learned counsel for the State opposes the prayer for bail and submits that there is a specific allegation against the petitioner in the FIR and it is due to this reason, the case diary as well as 164 Cr. P.C. statement of the victim girl has been called for.

6. Upon perusal of the 164 Cr. P.C. statement, it transpires that the allegation levelled in the FIR has been supported by the victim.

7. In the present facts and circumstances, I am not inclined to grant regular bail to the petitioner.



8. Accordingly, the prayer for regular bail of the petitioner in connection with Special Case No. 269 of 2023 arising out of Banmankhi P.S. Case No. 269/2023, pending before the learned Additional Sessions Judge-6th -cum-Special Judge-Purnia is hereby rejected.

(Dr. Anshuman, J)

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