

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19194 of 2024

Arising Out of PS. Case No.-341 Year-2020 Thana- NAWANAGAR District- Buxar

Naina Devi wife of Sushil Rai, R/o Village- Dhudhuan, PS- Daulatpur, Dist- Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

8 04-10-2024 Heard Mr. Sanjay Kumar, the learned counsel for the petitioner and Mr. Ajay Kumar No. 2, the learned Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since 14.02.2024, in connection with Nawanagar P.S. Case No. 341 of 2020, FIR dated 27.09.2020, registered for the offences punishable under Sections 363 and 365 of the Indian Penal Code.

3. Earlier the petitioner has moved before this Hon'ble Court in Cr. Misc. No. 54862 of 2023, which was dismissed as withdrawn vide order dated 13.12.2023.

4. According to the prosecution case, minor daughter of informant is missing since 21.09.2020.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been



implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that victim was recovered and her statement was recorded under Section 164 of the Cr.P.C., in which she has firmly stated that petitioner was involved in the present crime in question and she has given one *samosa* and water to the victim and after consuming the same, she does not know about what happened to her and later on she found herself at Ara and thereafter, the petitioner performed marriage of the victim with one Kamlesh Yadav, who happens to be the nephew of the petitioner. He further submits that from perusal of the medical report of the victim, it appears that on the date of occurrence, victim was minor.

6. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances, I am **not** inclined to enlarge the petitioner on bail in connection with Nawanagar P.S. Case No. 341 of 2020, pending in the Court of learned Additional District Judge-VI-cum-POCSO Court, Buxar.

8. Prayer is refused.



9. However, the learned trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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