

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23268 of 2024

Arising Out of PS. Case No.-330 Year-2023 Thana- SIKANDRA District- Jamui

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Makeshwar Kumar Son Of Bhagirath Chauhan @ Bhagirat Chauhan Resident
Of Village-Barabandh, Police Station-Lachhuar, District-Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate
For the State : Mr. Raj Kishor Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-07-2024 Heard Mr. Pramod Kumar, learned counsel for the

petitioner and Mr. Raj Kishor Singh, learned A.P.P. appearing on

behalf of the State.

2. The petitioner seeks bail, who is in custody since
03.10.2023, in connection with POCSO Case No. 21 of 2024
arising out of Sikandra P.S. Case No. 330 of 2023, FIR dated
01.10.2023 registered for the offence under Sections 363 and
366(A) of the Indian Penal Code.

3. As per the prosecution case, petitioner took away
the minor daughter of the informant on the pretext of marriage.

4. Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He further
submits that the allegation as alleged is false and fabricated and



the petitioner has not committed any offence as alleged in the FIR. The petitioner is rotting in judicial custody since 03.10.2023.

5. Learned A.P.P. for the State, on the other hand, has opposed the prayer for bail of the petitioner and submits that the statement of the victim was recorded under Section 164 Cr.P.C. in which she has categorically stated that she has gone with the petitioner apart from that the date of birth of the victim is 22.05.2009 which suggests that on the date of occurrence, the victim was minor.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with POCSO Case No. 21 of 2024 arising out of Sikandra P.S. Case No. 330 of 2023 pending in the Court of Additional District Judge-I-Cum-Special Judge SC/ST POA ACT & POCSO Act, Jamui.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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