

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21860 of 2024

Arising Out of PS. Case No.-39 Year-2023 Thana- BIND District- Nalanda

=====

Rauki Kumar SON OF JANARDAN PASWAN RESIDENT OF VILLAGE
-AHYACHAK P.S. -BIND DISTRICT -NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 28-06-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bind P.S. Case no.39 of 2023 registered under sections 363, 366A, 504, 506 and 34 of the Indian Penal Code to which sections 8 and 13 of the POCSO Act were added subsequently.

3. As per the prosecution case, the petitioner along with others kidnapped the 14 year old minor daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. There is an unexplained delay of 15 days in lodging of the F.I.R. The petitioner is in custody since 14.7.2023 and chargesheet has been submitted in the case. He undertakes to cooperate in the



trial.

5. The application for bail is opposed by learned A.P.P. for the State who submits that the trial has proceeded.

6. A report was called for from the learned trial Court. As per the report received contained in letter no.18.5.2024, four non-official witnesses have been examined. The victim, the doctor and the Investigating Officer remain to be examined.

7. Having heard learned counsel for the parties and having taken into consideration the allegations in the F.I.R., the material on record including the age of the victim having been described to be 14 years by the informant, the same having been assessed to be between 15-16 years by the Medical Board and the victim having supported the allegation of the petitioner having taken her away together with the trial having proceeded, the Court is not inclined to grant bail to the petitioner and the application is rejected.

8. Liberty is granted to the petitioner to renew his prayer for bail after six months and on examination of the victim in course of trial.

(Partha Sarthy, J)

Saurabh/-

U		T	
---	--	---	--

