

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22042 of 2024

Arising Out of PS. Case No.-937 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Nasimul Haque @ Nasimullah son of Late Md. Rafeek RESIDENT OF
VILLAGE- SISWA EAST PS- BANJARIYA, DISTT- EAST CHAMPARAN

... .. Petitioner/s

Versus

1. The State of Bihar
2. MD. MUNNA SON OF LATE SHEIKH MASUD RESIDENT OF
VILLAGE- SISWA EAST PS- BANJARIYA, DISTT- EAST
CHAMPARAN

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-05-2024 Heard learned counsel for the petitioner and learned counsel
for the State.

2. The petitioner seeks bail in Turkauliya (Banjariya) P.S.
Case No. 937 of 2023 registered for the offence punishable under
Sections 366(A) of the Indian Penal Code and Section 8 of the
POCSO Act.

3. Allegedly, all the accused persons including the petitioner
are said to have kidnapped the informant's minor daughter.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and he has committed no offence. No
such occurrence as alleged has ever taken place. He has been
falsely implicated in this case due to ulterior motive. The



allegation levelled against the petitioner is totally false and based on concocted facts. It is further submitted that it is evident from the FIR itself that the informant is not an eye witness and the victim girl has not been recovered, so far. The petitioner as well as other co-accused persons has been made accused in the present case merely on suspicion. There is no cogent material available against them. Nobody has claimed to see the informant's daughter in company of the petitioner. Petitioner has no criminal antecedent and he is in judicial custody since 07.02.2024.

5. Learned APP for the State opposes the prayer for bail and submits that there is direct and specific allegation against the petitioner that he accompanied the prime accused in kidnapping of the victim girl, along with other co-accused persons.

6. Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for bail is hereby rejected.

7. Accordingly, this application stands dismissed.

(Anjani Kumar Sharan, J)

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