

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28198 of 2024

Arising Out of PS. Case No.-310 Year-2023 Thana- PIRPAINTI District- Bhagalpur

MD. SOHAIL SON OF AFROJ ANSARI @ RAJA ANSARI @ AFROJ
RESIDENT OF VILLAGE - SHERMARI BAZAR, P.S. - PIRPAINTI,
DISTRICT - BHAGALPUR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. AMAR KUMAR SAH SON OF DEO KUMAR SAH @ MUNNA SAH
RESIDENT OF VILLAGE - SHERMARI BAZAR, P.S. - PIRPAINTI,
DISTRICT - BHAGALPUR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Prasad
For the Opposite Party/s : Mr.Sanjay Kumar Sharma

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 01-08-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail
in connection with Pirpainti P.S. Case No. 310 of 2023,
registered for the offences punishable under Sections 366A, 34
of the Indian Penal Code and Section 8 of POCSO Act.

3. As per allegation, when the informant's minor
daughter aged about 14 years was going to her school, the
petitioner enticed her away for the purpose of marriage. Further
when the informant went to the house of petitioner, his father
abused him and misbehaved with him.



4. Learned counsel for the petitioner submits that the petitioner is innocent. It is a case of love affairs. The petitioner is 18 years old and is behind the bars since 10.09.2023.

5. Certificate issued by Headmaster, Madhya Vidyalaya Shermari appears that the date of birth of the victim is 28.12.2009 which shows that the victim was at the age of about 14 years at the time of occurrence and she, in her statement under Section 164 of the CrPC, has stated that despite her refusal the petitioner persistently persuaded her to accompany with him. In my view, the petitioner does not deserve the privilege of bail. Accordingly, it is rejected.

6. If the trial is not concluded within a period of 9 months, the petitioner may renew his prayer for bail.

(Nawneet Kumar Pandey, J)

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