

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31245 of 2024

Arising Out of PS. Case No.-434 Year-2023 Thana- MAJHAULIA District- West Champaran

Krishana Patwa @Krishana Kumar S/O- RAMANAND PATWA R/O-
VILLAGE, PADMAUL, P.S- KUDHANI, DISTRICT- MUZAFFARPUR
... .. Petitioner/s

Versus

1. The State of Bihar
2. SMT DEVI W/O- GOPI PATWA R/S- SARISWA BAZAR , WARD-12 P.S-
MANJHAULIYA, DISTRICT- WEST CHAMPARAN
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Jyoti Kumari, Advocate
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 26-07-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Majhauriya P.S. Case no.434 of 2023, registered under sections 363, 366A and 34 of the Indian Penal Code and sections 8 and 12 of the POCSO Act.

3. As per the prosecution case, the informant states that his 12 year old daughter was kidnapped by the accused persons including the petitioner herein for marriage.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The daughter of the informant returned and her statement was recorded under section 164 Cr.P.C wherein she categorically states that she fell in love with the petitioner, went out on her own volition and



they married. The petitioner is in custody since 20.1.2024 and chargesheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State, who submits that the victim is aged about 13 years and chargesheet has been submitted besides other sections also under the POCSO Act.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation against the petitioner and chargesheet having been submitted under the POCSO act, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Taking into consideration the facts and circumstances of the case, specially the contents of the statement of the victim recorded under section 164 Cr.P.C, liberty is granted to the petitioner to renew his prayer for bail after completing one year in custody or after framing of charge, whichever is later.

(Partha Sarthy, J)

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