

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39228 of 2024

Arising Out of PS. Case No.-211 Year-2022 Thana- PAKRIDAYAL District- East Champaran

Raja Sah @ Raja Kumar @ Bhaibhav Kumar Shah Son Of Shiv Bachan Sah
Village- Kothiya, Ps- Madhuban , Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Kumar Tiwari

For the Opposite Party/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 363, 365, 366A, 504, 34 of the Indian Penal Code, Section 4, 8 of the POCSO Act and Sections 3 (i)(r)(s) of the SC/ST Act.

3. Petitioner is said to have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is no specific overt act against the petitioner. He submits that there is general and omnibus allegation levelled against the petitioner. He submits that the doctor opined the age of the victim between 18-19 years, therefore the victim is not supposed to be minor. He further



submits that petitioner has no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 01.04.2024.

5. Learned APP for the State opposes the prayer for bail submits that the victim in her statement under Section 164 of the Cr.P.C. has supported the prosecution case.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for bail is rejected in connection with Pakaridayal P.S. Case No. 211 of 2022.

7. However, petitioner is at liberty to renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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