

Arising Out of PS. Case No.-142 Year-2022 Thana- MAHNAR District- Vaishali

Arising Out of PS. Case No.-142 Year-2022 Thana- MAHNAR District- Vaishali

... .. Petitioner/s

Versus

- Opposite Party/s

For the Petitioner/s	:	Mr. Surendra Thakur Mr. Subodh Kumar
For the State	:	Mr. Bharat Lal
For the Informant	:	Mr. Jyoti Ranjan Jha Mr. Dhananjai Kumar Singh

2 21-09-2024 1. Heard learned counsel for the petitioner, the
learned counsel appearing on behalf of the informant and
learned APP for the State.

2. The petitioner seeks bail in Mahnar P. S. Case No.142 of 2022 registered for the offences punishable under Sections 363 and 366(A) of the Indian Penal Code and Sections 4 and 6 of the POCSO Act.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is in custody since 20.01.2024 and the informant alleges that his



minor daughter aged about 15 years was missing from home since 8.30 A.M. on 25.05.2022, thereafter a search was made, when informant received a call at 10.30 A.M. and the caller disclosed his name as Ravi Jha (petitioner) and informed that victim is with him. It is next alleged that petitioner is a Teacher at Vidya Niketan where the victim studies, thus alleges that petitioner, for establishing physical relation on pretext of marriage, has kidnapped his daughter.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is also submitted that the victim on her own volition came to meet the petitioner as she was disturbed by the conduct of her parents, as such, the petitioner on 25.05.2022 itself at 10.30 A.M. called the informant and disclosed to him that victim is with him. It is next submitted that had the petitioner been involved in the occurrence or would have kidnapped the victim, then he would never have made a call to the informant. It is also submitted that a Medical Board was constituted and the age of the victim was assessed in between 18-20 years. It is



next submitted that the statement of the victim was recorded under Section 164 of the Cr.P.C. wherein she has supported the prosecution case, but then, has also stated that she had accompanied the petitioner to various places. It is thus submitted that since victim was roaming around with the petitioner to various place, but still she chose to remain silent and did not raise any alarm either in the bus or train when she was accompanying the petitioner to Muzaffarpur-Samastipur-Muzaffarpur-Delhi and back.

5. The learned counsel for the informant as well as learned A.P.P. opposes the bail application and submits that petitioner is a Teacher where victim was studying and as such, he should not have allowed the victim to become close to him. It is also submitted that no doubt, Medical Board assessed the age of victim in between 18-20 years, but then, from the birth certificate issued by the competent authority, it would manifest that victim on the date of occurrence was 15 years of age, as such, was a minor. It is also submitted that charges have been framed, trial has commenced and out of five charge-sheet witnesses, two



witnesses have already been examined.

6. Considering the submissions made by the learned counsel for the informant, the Court is not inclined to release the petitioner on bail.

7. Accordingly, the prayer of the petitioner for regular bail stands rejected.

8. However, the learned trial Court shall try to dispose of the case expeditiously within a time frame, if possible.

(Satyavrat Verma, J)

vikash/-

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

