

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46865 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- MAHILA P.S District- West Champaran

Munna Sharma @ Manoj Kumar Sharma @ Manoj Kumar Son of Late
Sudama Sharma Village- Motichhapar Ward No. 03, P.S.- Kumarbagh O.P.
(Chanpatia), Distt.- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nikki Kumari Wife of Ranjeet Kumar Sharma Village- Motichhapar Ward
No 03, P.S.- Kumarbagh O.P. (chanpatia), Distt.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brij Kishor Mishra, Advocate
For the State	:	Mr. Nirmal Kumar Sinha, APP
For the Informant	:	Mr. Zainul Abedin, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-09-2024 Heard Mr. Brij Kishor Mishra, learned counsel for

the petitioner, Mr. Zainul Abedin, learned counsel appearing on

behalf of the informant as well as Mr. Nirmal Kumar Sinha,

learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
11.04.2024 in connection with Bettiah Mahila P.S. Case No. 14
of 2024, F.I.R. dated 11.04.2024 for the offences punishable
under Sections 376, 506/34 of the Indian Penal Code and
Sections 4 and 6 of the POCSO Act.

3. According to prosecution case, this petitioner has
committed wrong with the daughter of the informant who was
found in very miserable condition near the house meant for



keeping fodder. It is further alleged this petitioner along with his son abused the informant and threatened her for dire consequences.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case due to admitted land dispute between the parties. He further submits that the informant is the sister-in-law of the petitioner. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor on the basis of material available on record and the case diary have vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim was recorded under Section 161 as well as 164 of the Cr.P.C. in which she has categorically stated that the petitioner has committed wrong with her and apart from that she has narrated the entire episode in her statement. He further submits that the petitioner carries three criminal antecedents other than the present one.

6. Considering the aforesaid facts and circumstances and the fact that the allegation is supported by the statement of



the victim, I am not inclined to enlarge the petitioner on bail in connection with Bettiah Mahila P.S. Case No. 14 of 2024 pending in the court of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO, Bettiah, West Champaran.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Vanisha/-

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

