

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56341 of 2024

Arising Out of PS. Case No.-70 Year-2024 Thana- PATEPUR District- Vaishali

Abhishek Kumar Son of Laxmi Lal Rai @ Laxmi Lal Ray, Resident of
Village - Bardiha Turki, P.S. - Patepur, District - Vaishali At Hajipur.

... .. Petitioner

Versus

1. The State of Bihar.
2. Sanju Kumari Wife of Bhim Ram Kunwar, Resident of Village - Bardiha Turki, P.S. - Patepur, District - Vaishali At Hajipur.

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Dilip Kumar Roy, Advocate
For the Opposite Party	:	Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-09-2024 Heard Mr. Dilip Kumar Roy, the learned counsel

for the petitioner, the learned counsel for the informant and Mr.

Choubey Jawahar, the learned Additional Public Prosecutor for

the State.

2. Petitioner seeks regular bail who is in custody since

20.03.2024, in connection with Patepur P.S. Case No. 70 of

2024, FIR dated 08.03.2024, registered for the offences

punishable under Sections 363 and 366(A) of the Indian Penal

Code and under Section 17 of POCSO Act. However, the police

after investigation has submitted chargesheet under Section 363

and 366(A) of the Indian Penal Code and under Section 8 of

POCSO Act.



3. According to the prosecution case, the petitioner along with three to four persons kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that the petitioner is in custody since 20.03.2024.

5. The learned counsel for the informant as well as the learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that trial has begun and the victim, in her deposition before the learned trial Court, has firmly stated that petitioner has kidnapped her and thereafter, the petitioner has also committed rape upon her.

6. Considering the aforesaid facts and circumstances, I am **not** inclined to enlarge the petitioner on bail in connection with Patepur P.S. Case No. 70 of 2024, pending in the Court of learned Exclusive Special Court POCSO-cum-Additional District Judge-VI, Vaishali at Hajipur.

7. Prayer is refused.



8. However, the learned trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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