

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59267 of 2024

Arising Out of PS. Case No.-109 Year-2023 Thana- BUDHUCHAK District- Bhagalpur

Chikku Yadav @ Chinku Kumar Yadav Son of Late Jai Kant Yadav @ Ashok Kumar Yadav Village- Naya Nagar Rani Diyara, P.S.- Buddhu Chak, District- Bhagalpur Petitioner/s

Versus

1. The State of Bihar
 2. Manju Devi Wife of Arjun Mandal Village- Naya Nagar Rani Diyara, P.S.- Buddhu Chak, District- Bhagalpur
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-09-2024 Heard Mr. Ranjan Kumar Jha, learned counsel for the petitioner and Mr. Amitesh Kumar, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 06.05.2024 in connection with POCSO Case No. 264 of 2023 arising out of Buddhuchak P.S. Case No. 109 of 2023, F.I.R. dated 31.10.2023 for the offences punishable under Sections 363, 365/34 of the Indian Penal Code and Section 4 of the POCSO Act.

3. According to prosecution case, this petitioner along with co-accused Sajjan Kumar have abducted the minor daughter of the informant and confined her in a room at lonely place and also assaulted her.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. 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. In fact, the victim was in love with one Sajan Kumar and she eloped with him. He further submits that the victim was recovered.

5. The learned Additional Public Prosecutor on the basis of material available on record and case diary has vehemently opposed the prayer for bail of the petitioner and submits that the victim was recovered and her statement was recorded under Section 164 of the Cr.P.C. in which she has categorically stated that the petitioner has abducted her.

6. Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail in connection with POCSO Case No. 264 of 2023 arising out of Buddhuchak P.S. Case No. 109 of 2023 pending in the court of learned 7th Additional District & Sessions Judge, Bhagalpur-cum-Exclusive Special Judge (POCSO), Bhagalpur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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