

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63840 of 2023

Arising Out of PS. Case No.-322 Year-2022 Thana- ITARHI District- Buxar

=====

AMIT KUMAR CHOUDHARY S/O LAL BAHADUR CHOUDHARY R/O
VILLAGE- ITARHI, P.S- ITARHI, DISTT.- BUXAR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ashwini Kumar Rai

For the Opposite Party/s : Mr.Ashok Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 03-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 363, 366A, 376, of the Indian Penal Code and Section 4 of the POCSO Act.

3. As per FIR, the informant alleged that the petitioner abducted her daughter due to ulterior motives.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case merely on the basis of suspicion. It is further submitted the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since



28.10.2022.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioner on false pretext of marriage enticed away minor daughter of the informant and took her to Secunderabad. It is further alleged that the petitioner established physical relation with the victim thereafter he dropped her home and denied to solemnize marriage with her. The consent of the victim is not permissible in the eye of law. During investigation, charge sheet has been submitted under Sections 363, 366Am 376 of the Indian Penal Code and Section 4 of the POCSO Act.

Having heard the learned counsel for the parties and considering the fact that there is direct allegation against the petitioner of rape, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible

(Sunil Kumar Panwar, J)

manishkumar/-

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

