

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58948 of 2022

Arising Out of PS. Case No.-15 Year-2019 Thana- CHAORI District- Bhojpur

Chhotu Kumar Son of Late Brijbihari Singh Resident of village- Amharhua,
Police Station- Chauri

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gopal Shran Singh S/o of Lal Bahadur Singh Resident of Village Amrua,
P.S. Chauri, District- Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

13 05-04-2024 Heard learned counsel for the petitioner and learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with Chauri
PS Case No. 15 of 2019 instituted for the offences under Section
366 A of the Indian Penal Code.

3. Vide order dated 20-02-2024, a report was called
for from the Court of Additional CJM-VI, Ara with respect to the
present stage of trial, number of witnesses to be examined and
the period in which the trial is expected to be concluded. A
report dated 05-03-2024 is received and it is to the effect that
four out of seven charge sheet witnesses have been examined
and the trial is likely to be concluded within a period of three



months.

4. Prosecution case, in brief, is that minor niece of the informant was kidnapped by the petitioner for the purpose of marriage.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case under Section 366A of the IPC. Learned counsel for the petitioner further submits there is delay of 20 days in lodging of the FIR. It is submitted that there is no eye-witness to the occurrence. Petitioner is in custody after surrender since 24-06-2022 having no criminal antecedent.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, I am not inclined to grant bail to the petitioner.

8. The prayer is rejected.

9. The Trial Court is directed to take all necessary steps to conclude the trial at earliest preferably within a period of four months from the date of receipt/production of a copy of this order.

10. If the trial is not concluded within the aforesaid



period of four months, the petitioner will be at liberty to renew his prayer for bail and the trial court will decide the same on its merit without being prejudice by this order.

11. The District Magistrate, Bhojpur and the Superintendent of Police, Bhojpur are also directed to take necessary steps to produce the witnesses on the date fixed in the Trial Court so that the trial could be concluded within the stipulated period.

12. Let this order be communicated to the District Magistrate, Bhojpur and the Superintendent of Police, Bhojpur.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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