

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68857 of 2024

Arising Out of PS. Case No.-367 Year-2023 Thana- SANGRAMPUR District- East
Champaran

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Nitesh Kumar @ Nitesh Paswan S/o- Surya Paswan @ Suraj Paswan Resident
of village- Parsauna PS- Sangrampur District- East Champaran at Motihari

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rupesh Kumar Son of Kali Charan Ray Village- Sabalpur W.No-10, Ps-
Sangrampur Dist- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Karandeep Kumar, Adv

For the Opposite Party/s : Mr.Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 01-10-2024 Heard Learned Counsel for the petitioner and

Learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with

Sangrampur P.S. Case No. 367 of 2023 lodged on 02.11.2023

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

the POCSO Act.

3. As per the prosecution case, F.I.R. has been lodged

against four named accused persons excluding the present

petitioner with an allegation that petitioner in connivance with

each other had kidnapped the informant's sister.

4. Learned Counsel for the petitioner submits that the

petitioner is innocent and has committed no offence. Counsel



for the petitioner submits that petitioner is not named in the F.I.R. He further submits that victim girl has been recovered and in her statement made under Section 164 of the Cr.P.C. that she was in love with the petitioner and she has left her parental house with the petitioner and developed physical relation with him. He further submits the criminal antecedent of the petitioner is clean and the petitioner is in custody since 28.07.2024.

5. Learned APP for the State opposes the prayer for bail and submits that POCSO Act has been added in the case.

6. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Accordingly, the bail application of the petitioner is hereby rejected with liberty to the petitioner that he may renew his prayer for bail one year after the date of taking cognizance.

(Dr. Anshuman, J)

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