

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 69637 of 2024

Arising Out of PS. Case No.-487 Year-2023 Thana- NAUTAN District- West Champaran

Subhash Yadav @ Subash Yadav S/o Birendra Yadav Resident of Village -
Shyampur Kotrahan, P.S.-Nautan, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Manish Patel S/o Dhurendra Patel R/o vill - Areraj ward no. 8, P.S. - Govind Ganj, Distt. - East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan, Advocate
For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-10-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Nautan P.S. Case No. 487 of 2023 for the offence punishable under Section 376AB of the Indian Penal Code and 6 of the POCSO Act lodged on 24.11.2023 by the informant, Raju Kumar.

3. As per the prosecution story, the informant alleged that he was visiting alongwith family to attend 'Grih Pravesh' ceremony, when this petitioner came and took away three years old daughter on the pretext of providing her chocolate and later as she went missing, search was made, was found with the accused in an unconscious position. The petitioner tried to run



away and the private parts of the girl were badly damaged and if the girl was not rushed to the Hospital immediately, she may not have survived. Accordingly, the FIR.

4. Learned counsel for the petitioner tried to impress upon this Court on the innocence of the petitioner.

5. However, considering the allegation of heinous crime that has come against him of sexually assaulted a three years old child which resulted into damage of her private parts, no relief can be granted to him. Accordingly, the bail application stands rejected.

6. Let a copy be communicated to the learned District and Sessions Judge, West Champaran, Bettiah as also the office of Senior Superintendent of Police, West Champaran, Bettiah who shall ensure that the trial of this case is fast tracked and taken to its conclusion at an earliest.

(Rajiv Roy, J)

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