

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68374 of 2023

Arising Out of PS. Case No.-403 Year-2020 Thana- CHOUTARWA District- West
Champan

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ABU BAKAR son of Late Ahmad Miyan @ Lal Sipahi Resident of Village-
Kolhua Chautarwa At Present Bahuarwa PS- Chautarwa Dist- West
Champan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

Mr. Bharti Rai, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

4 05-01-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of
regular bail in connection with Chautarwa P.S. Case no.403 of
2020 registered under sections 366A and 34 of the Indian Penal
Code.

3. As per the prosecution case, the petitioner and
others are said to have taken away the 15 year old minor
daughter of the informant. Subsequently in her statement under
section 164 Cr.P.C., the minor victim is said to have made
specific allegation against this petitioner.



4. The earlier prayer for bail of the petitioner was rejected vide order dated 6.1.2023 passed in Cr. Misc. no.3522 of 2022.

5. Learned counsel for the petitioner submits that inspite of the petitioner having remained in custody since 1.7.2021 and having cooperated in the trial, the trial has still not concluded and there is no chance of the same concluding in the near future. The daughter of the informant is major and she married the petitioner out of her own volition. It is under coercion and pressure that the statement under section 164 Cr.P.C. has been given. The petitioner undertakes to cooperate in the trial.

6. The application for bail is opposed by learned A.P.P. for the State.

7. As per the report received from the learned trial Court contained in letter dated 14.12.2023, all the witnesses including the victim, the investigating officer as also the doctor have been examined and the case is pending for argument.

8. In view of the facts and circumstances of the case, the nature of allegation and the trial having progressed substantially, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.



9. It is expected that the learned trial Court shall take expeditious steps for disposal of the case and conclude the same at the earliest.

(Partha Sarthy, J)

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