

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74548 of 2023

Arising Out of PS. Case No.-273 Year-2019 Thana- LAKHISARAI District- Lakhisarai

Manohar Kumar Son Of Balmiki Saw @ Peru Saw R/O Vill - Bhola Tola,
Ward No. 2, P.S. - Lakhisarai, Distt. - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar
For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with Lakhisarai P.S. Case No. 273 of 2019 instituted for the offence under Sections 366(A) and 34 of the Indian Penal Code and Section 8 of the POCSO Act. Later on, during investigation, Sections 376 and 504 of IPC and Section 4/6 of the POCSO Act were added.

As per FIR, petitioner abducted the minor daughter of the informant and brought her to Punjab and established physical relationship with her. It is further alleged that he assaulted her as well.



It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this present case. There is love affairs between the victim and the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. From perusal of the impugned order, the age of the victim has been opined as 16-18 years as per the age assessment report. Moreover, the petitioner is languishing in judicial custody since 28.06.2023.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in FIR and the victim was recovered and her statement was recorded under Section 164 of the Cr.P.C., in which she stated that this petitioner brought her to Punjab and kept her in a room for ten months and committed rape with her daily and also assaulted her. During investigation, witnesses supported the prosecution case and the age of the victim as per her deposition is about 14 years.

Having heard the learned counsel for the parties and considering the nature of allegation, 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)

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