

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68969 of 2024

Arising Out of PS. Case No.-37 Year-2023 Thana- CHHAURADANO District- East
Champaran

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Nesar Alam @ Nesar Ahmad S/o- Aklui Miyan Resident of village-
Purshotampur, Ps- Chhauradano Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ahmad Miyan Son of Late Gafar Miyan Resident of village- Purshotampur,
Ps- Chhauradano Dist- East Champaran

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 03-10-2024 Heard Learned Counsel for the petitioner and Learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Chhauradano P.S. Case No. 37 of 2023 dated 08.02.2023,
lodged under Section 366(A) of the Indian Penal Code read with
section 8 of the POCSO Act pending before the Court of 7th
Additional Sessions Judge-cum-Special Judge, POCSO Act,
East Champaran, Motihari.

3. As per the prosecution, FIR has been lodged against
the sole petitioner. The allegation against the petitioner is that he
has kidnapped the informant's daughter for the purpose of either
marriage or selling her.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that all disputes were settled amicably and both the parties have entered into compromise. Counsel further submits that the criminal antecedent of the petitioner is clean and he is in custody since 02.07.2024.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that in the impugned order, it has come that victim in her statement under section 164 Cr.P.C. has corroborated the prosecution story about forceful kidnapping and repeated rape.

6. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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