

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85699 of 2023

Arising Out of PS. Case No.-617 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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Sachin Kumar, male, aged about 19 years, S/o Suresh Prasad R/o Village
Godhwa, P.S. Muffasil, District East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mr. X NA NA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Perna Rishi, Advocate
For the Opposite Party/s : Ms. Rita Verma, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 28-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Motihari Muffasil P.S. Case No.-617 of 2023 registered for the

offence under Sections 363 and 366A/34 of the Indian Penal

Code and Sections 8 of the Protection of Children from Sexual

Offences Act, 2012.

3. As per the prosecution case, it is a case of

kidnapping of the minor daughter of the informant and theft of

cash of about 3,00,000/- and jewelry worth Rs.60,000/- of the

informant by the petitioner and other co-accused person.

4. Learned counsel appearing on behalf of the



petitioner submits that petitioner has falsely been implicated in this case. Petitioner has got clean antecedent as stated in para-3 of the petition and he is in custody since 31.08.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. On perusal of the first information report as well as the impugned order dated 13.09.2023, the statement of the victim girl recorded under Section 164 of the Cr.P.C., it appears that the petitioner is named in the FIR and the victim is aged about 16 years and after perusing of the case diary and the statement of the victim girl, it also appears that specific allegation against the petitioner for sexual assault, in these circumstances, I am not inclined to grant bail to the petitioner at this stage. Accordingly, the prayer for bail of the petitioner is hereby rejected.

7. However, the trial Court is directed to conclude the trial preferably within a period of six months from the date of receipt of a copy of this order and if the trial is not concluded, the petitioner may renew his prayer for bail.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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