

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1311 of 2024

Arising Out of PS. Case No.-484 Year-2023 Thana- SIKARPUR District- West Champaran

Ismayeel Ali @ Ali Murtuza Son of Murtuza R/o vill - Katgharawa, P.S. -
Shikarpur, dist. - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aftab Alam Son of Late Md. Hasan R/o vill - Shivganj, ward no. 6, P.S -
Shikarpur, Distt. - West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 21-03-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Shikarpur P.S. Case no.
484 of 2023 registered under sections 363, 366A and 34 of the
Indian Penal Code and sections 8 and 12 of the POCSO Act.

3. As per the prosecution case, the informant states
that his fourteen year old daughter left for school but did not
return. On inquiry it transpired that four named accused persons
including the petitioner herein had a hand in her disappearance.
She had been taken away for the purpose of marriage.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. The petitioner



as also the daughter of the informant are major and it was a case of love marriage between the parties. No force was used in taking away the informant's daughter which would be evident from the contents of her statement under section 164 Cr.P.C also. The petitioner is in custody since 24.7.2023.

5. The application for bail is opposed by learned APP for the State who submits that the victim is aged about 14 years which would be evident from her statement under section 164 Cr.P.C also.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R together with the age of the victim being about 14 years, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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