

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2664 of 2025

Arising Out of PS. Case No.-33 Year-2024 Thana- MAJHAULIA District- West Champaran

Mantu Kumar @ Mantu Ram Son of Sri Vikram Ram Resident of Village-
Semuapur, P.S.- Majhauriya, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suresh Hazra Son of Late Vishwanath Hazra Resident of Vill- Bathana,
Ward No. 06, P.S.- Majhauriya, District- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 10-04-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Majhauriya P.S. Case No. 33 of 2024 instituted for the offence
under Sections 363, 366-A, 504, 506/34 of the Indian Penal
Code and Sections 8/12 of the POCSO Act.

3. As per prosecution case, accusation against the
petitioner is of abducting the minor daughter of the informant
for the purpose of marriage.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21-10-2024. Petitioner bears no criminal antecedent/s, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that petitioner has performed marriage with the victim and at present, victim is living in the house of the petitioner at her own sweet will. Victim has not supported the prosecution case in her statement recorded under Section 164 of the Cr.P.C. and she has refused for her medical examination.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that victim is minor and it is settled principle of law that consent of minor is not tenable in the eye of law. Charge sheet is submitted in this case under Sections 366(A) & 376 of the IPC and Sections 4/6 of the POCSO Act.

7. Considering the aforesaid facts and circumstances of the case, victim being minor and since charge sheet is submitted under Sections 366(A) & 376 of the IPC and Sections 4/6 of the POCSO Act, this Court, at this stage, is not inclined to grant bail to the petitioner. Prayer for grant of bail is,



accordingly, *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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