

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4131 of 2025

Arising Out of PS. Case No.-63 Year-2024 Thana- CHHABILAPUR District- Nalanda

Chotu @ Ajit Kumar Son of Mithilesh Prasad @ Mithilesh Pal Resident of
village - Dogi, P.S.- Chabilapur, District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kishori Mahto Son of Late Mani Mahto Resident of village - Dogi, P.S.-
Chabilapur, District - Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar, Advocate
For the Informant	:	Mr. Pramod Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr. Ram Bilash Roy Raman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

6 18-06-2025 Heard Mr. Pankaj Kumar, the learned counsel
appearing on behalf of the petitioner, Mr. Pramod Kumar Sinha,
the learned counsel for the Informant and Mr. Ram Bilash Roy
Raman, the learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 363, 365 of the Indian Penal
Code and further added Sections 376 and 34 of IPC and 4/6 of
POCSO Act.

3. The prosecution case is to effect that the minor
daughter of the informant had gone on 15.05.2024 to attend the
call of nature and when she did not return, the informant and her
family members started looking for her however, she could



not be traced and hence this application was filed after nine days of her disappearance.

4. The learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and no such incident as alleged had taken place. The learned counsel has stated that the name of the petitioner has surfaced in the statement of the victim made under Section 161 and 164 Cr.P.C. He further submits that even taking the statement of the victim girl into account, it would appear that there was no force used against the victim. Lastly, it has been submitted by the learned counsel for the petitioner that the petitioner has clean antecedent and he is in custody since 25.05.2024.

5. The learned counsel for the Informant as well as the learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail and has stated that admittedly the victim girl is a minor and there is serious allegations against the petitioner who has taken away the victim/daughter of the informant and had exploited her for almost nine days and thereafter she returned. It has also been stated by the learned counsel for the informant that the victim has supported the prosecution case in her statement made under Section 161 and 164 Cr.P.C and hence he does not deserve the



liberty of bail.

6. Considering the aforesaid facts and circumstances,
I am not inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is rejected.

8. The learned trial court is directed to expedite the
trial of the case and it is expected that the same should be
completed within six months from today.

(Sourendra Pandey, J)

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