

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10093 of 2025

Arising Out of PS. Case No.-282 Year-2022 Thana- KADAMKUAN District- Patna

Sanjay Kumar Son of Vijay Prasad Resident of Village - Chak Johara, Post -
Son Mai, P.S.- Dhanarua, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X, Resident of Mohalla - Bakarganj Brahmsthani Gali Daldali Road, Patna,
P.S.- Kadam Kuan, District - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar, Advocate
For the Opposite Party/s	:	Mr. Pradeep Narain Kumar, APP
For the Informant	:	None

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

ORAL ORDER

4 23-06-2025 Heard learned counsel for the petitioner and learned
APP for the State. None appears on behalf of the informant
despite notice being validly served. Perused the case diary.

2. The petitioner seeks bail in connection with Kadam
Kuan P.S. Case No. 282 of 2022 Special (POCSO) Case No.
142 of 2022 instituted for the offences under Sections 363, 365
of the Indian Penal Code.

3. As per prosecution case, the daughter of the
informant went missing. The informant suspects that unknown
person has kidnapped her daughter with ill intentions.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the



present case due to village politics. Petitioner is not named in the F.I.R. Learned counsel further submitted that in this case, charge has been framed against the petitioner on 10.11.2022 under Sections 363, 366 and 366A, 376 of the IPC and Sections 4/8 of the POCSO Act and two witnesses have also been examined. It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.06.2022 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 164 of the Cr.P.C. has specifically stated that this petitioner solemnized marriage with her against her will.

6. Considering the aforesaid facts and circumstances of the case as also Section 164 Cr.P.C. statement of the victim, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

9. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of six months from today.



If any such application is filed, the learned Trial Court shall consider the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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