

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10557 of 2025

Arising Out of PS. Case No.-625 Year-2024 Thana- AURANGABAD TOWN District-
Aurangabad

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Asgar @ Sahil @ Shekh Sahil S/O Shekh Jamil R/O Vill.- Mohalla- Ward no.
5, Gobri, P.S.- Motihari Town, Dist.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dharmendra Paswan S/O Late Ajay Paswan R/O Vill.- Shahpur Tikari Road
near Plani Tanki Ward no. 11, P.S.- Aurangabad Town, Dist.- Aurangabad,
Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shailesh Kumar Singh, Advocate
For the State	:	Mr. Brajendra Nath Pandey, APP
For the Informant	:	Mr. Aman Vishal, Advocate

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

ORAL ORDER

3 15-09-2025 Heard learned counsel for the petitioner and learned APP

for the State as also learned counsel for the informant. Perused

the case diary.

2. The petitioner seeks bail in connection with

Aurangabad Town P.S. Case No. 625 of 2024 instituted for the

offence under Sections 137(2), 87, 96, 351(2) & 351(3) of the

Bharatiya Nyaya Sanhita, 2023 and Section 8 & 12 of the

POCSO Act.

3. Prosecution case, in short, is that minor daughter of

the informant went missing from market and did not return

home. It is further alleged that the petitioner called the



informant and claimed that victim was in Motihari, hence the FIR.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 30-08-2024. Petitioner bears no criminal antecedent, 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. Learned counsel submits that petitioner did not kidnap the daughter of the informant rather she herself deserted the house of the informant. There is delay of six days in lodging the FIR. Victim refused for her medical examination.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Referring to statement of victim recorded under Section 183 of the BNSS, 2023 victim admitted that accused taken away her to Motihari and snatched her mobile. Earlier accused told his caste as Kuswaha (Hindu) but at Motihari he told his name as Sheikh Sahil (Muslim). Petitioner tried to marry her and offence is very serious in nature caused to victim below 16 years.

7. Considering the aforesaid facts and circumstances



of the case, nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail to the petitioner is hereby *rejected*.

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

9. However, petitioner will be at liberty to renew his prayer for bail if the trial is not concluded within a period of six months.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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