

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15664 of 2025

Arising Out of PS. Case No.-59 Year-2022 Thana- TETERHAT District- Lakhisarai

Md. Amir @ Amir Ansari S/o Md. Muslim R/o Village- Tatarhat, P.S-
Tatarhat, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Radheshyam Paswan S/o Late Jago Paswan R/o Village- Gulni, P.S-
Tatarhat, Distt.- Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-04-2025 Heard Mr. Vijay Kumar, learned counsel for the

petitioner and Mr. Anuj Kumar Shrivastava, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
12.09.2024 in connection with Tatarhat P.S. Case No. 59 of
2022, F.I.R. dated 30.06.2022 for the offences punishable under
Sections 363, 366A/34 of the Indian Penal Code.

3. According to prosecution case, the minor daughter
of the informant was kidnapped by this petitioner along with the
help of other accused persons and sold her to someone in
Sonipat.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of statement of the victim recorded under Section 164 of the Cr.P.C. / Section 183 of the BNSS and except the aforesaid, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim recorded under Section 164 of the Cr.P.C. / Section 183 of the BNSS in which she has categorically stated that on the date of incident, this petitioner along with other accused persons forcefully made her to consume a tablet due to which she became unconscious and when she regain her consciousness then she found herself in Sonipat where she was sold to someone by the accused persons including the petitioner. Apart from that the date of birth of the victim is 01.01.2009 which suggests that on the date of occurrence she was minor. He further submits that the bail application of the co-accused, namely, Md. Ikrar Miya has been rejected by this Court vide order dated 28.08.2023 passed in Cr.



Misc. No. 20381 of 2023.

6. Considering the aforesaid facts and circumstances that the victim has categorically stated about this petitioner in her statement recorded under Section 164 of the Cr.P.C. / Section 183 of the BNSS, I am not inclined to enlarge the petitioner on bail in connection with Tetarhat P.S. Case No. 59 of 2022 pending in the court of learned District & Additional Sessions Judge-VI-cum-Special Judge POCSO Act, Lakhisarai.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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