

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22863 of 2025

Arising Out of PS. Case No.-623 Year-2024 Thana- MUFFASIL District- West Champaran

Kameel Gaddi @ Kamil Gadi Son of Bali Gadi R/o Village Ward no. 7,
Karanemya, P.S.- Bettiah Muffasil, Distt.- Bettiah, West Champaran

... .. Petitioner/s

Versus

1. The state of Bihar Bihar
2. Surjani Khatoon W/o Saheb Gaddi R/o Ward No. 7, Karanemya, P.S.-
Bettiah, Distt- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shiva Shankar Sharma, Adv.
For the informant	:	Mr. Ram Kishun Prasad, Adv.
For the Opposite Party/s	:	Mr.Ram Naresh Ray, Adv.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 06-05-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bettiah Muffasil P.S. Case No. 623 of 2024 dated 20.11.2024 registered for the offences punishable u/ss 126(2), 115(2), 118(1), 64(1), 89, 90, 103(1), 352 read with Section 3(5) of the B.N.S. and Section 4 of the POCSO Act.

3. As per the prosecution case, one day suddenly, the informant's daughter aged about 15 years, had a pain in her stomach. When the informant took her to the government hospital, the doctor found that the victim was pregnant for four



months. After knowing this, he went back home. Then he came to know from the victim that the petitioner used to seduce the victim and he used to establish physical relation with her due to which she became pregnant. Thereafter, the informant went to inquire into the matter from the petitioner and his family then all the FIR named accused persons attacked with sharp weapons and iron rods due to which the informant and his family members were forced to return from there. Then the informant thought of seeking help from police but on 11.11.2024, in the evening, the petitioner forcibly fed medicine to victim and tried to abort the pregnancy, after consuming the medicine, the victim started over bleeding and she died before reaching the hospital.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is admittedly relative of the informant and he was frequent visitor of her house. The petitioner has been made accused in this case merely on suspicion. The petitioner have no concern with the alleged offence. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 21.11.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have opposed the bail petition of the petitioner



and submitted that the victim is a minor girl and the specific allegation against the petitioner is that the petitioner seduced the victim and he used to establish physical relation with her due to which she became pregnant. Later on, the petitioner forcibly fed medicine to victim and tried to abort the pregnancy, after consuming the medicine, the victim started over bleeding and she died.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner above-named on bail.

7. Learned trial court is directed to expedite the trial and conclude the same at the earliest.

8. The application stands rejected.

(Chandra Prakash Singh, J)

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