

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23382 of 2025

Arising Out of PS. Case No.-171 Year-2023 Thana- PHENHARA District- East Champaran

Shyambabu Das @ Bhikhar Das Son of Mahesh Das R/V- Fenhara /
Phenhara, P.S.- Fenhara / Phenhara, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar

2. Akhlak @ Md. Akhlak Son of Late Sheikh Sannaullah R/V- Fenhara /
Phenhara, P.S.- Fenhara / Phenhara, District - East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

3 06-08-2025 Heard the learned counsel for the petitioner and
learned APP for the State.

2. This is an application for regular bail on behalf
of the petitioner for the offences alleged under Sections 363,
366(A) of the IPC and Section 8 of the POCSO Act, registered
in connection with Phenhara P.S.Case No.171 of 2023.

3. According to FIR, the accused persons named in
the FIR kidnapped the minor daughter of the informant by
forcibly boarding her into a vehicle.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. He has further submitted that, as a matter of fact, there
was love and affection between the victim and the petitioner and



she went with the petitioner as per her own sweet will.

5. On the other hand, learned counsel for the informant has opposed the prayer for bail and submitted that the victim herself stated in her statement recorded under Section 164 of the CrPC that after alluring her for giving money, the accused persons boarded her into the vehicle. It has also been submitted that the trial is going on and the witnesses are being examined regularly.

6. Considering the above-mentioned facts and circumstances, I am not inclined to grant bail to the petitioner, accordingly, it is *rejected*.

(Nawneet Kumar Pandey, J)

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