

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28478 of 2025

Arising Out of PS. Case No.-133 Year-2022 Thana- BARHARIA District- Siwan

Om Nonia @ Om Kumar S/O Subash Nonia @ Subhash Nonia @ Subash
Mahato Village- Triloka Hatta, P.S.- Barharia, District- Siwan- 841438

... .. Petitioner/s

Versus

1. The State of Bihar
2. Harendra Kumar Yadav S/O Late Triveni Yadav R/O Vill.- Siyari Karn, P.s.-
Barharia, Dist.- Siwan, - 841438, Mob No.- 9955075747

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Kumar Sharma, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 05-08-2025 Heard Mr. Shashi Kumar Sharma, learned counsel for
the petitioner and Mr. Md. Mushtaque Alam, learned APP for the
State.

2. The petitioner is apprehending his arrest in connection
with Barhariya P.S. Case No. 133 of 2022, F.I.R. dated 24.03.2022
for the offences punishable under Sections 363/366(A)/34 of Indian
Penal Code ad Section 8/17 of POCSO Act.

3. According to prosecution case, the informant alleged
that his daughter went to one Indu Devi's house but did not returned
home. When the informant went to Indu Devi's house to search her
daughter, then he got information that the petitioner along with other
accused persons were taking his daughter towards Lakhri Dargah.
Thereafter, his daughter could not traced out.



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 allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the FIR and from bare perusal of the FIR it appears that there is direct and specific allegation against the petitioner that he abducted the daughter of the informant and till date the victim girl could not be traced.

6. Considering the aforesaid facts and circumstances and the fact that there is direct and specific allegation against the petitioner and till date the victim is not found, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Barhariya P.S. Case No. 133 of 2022 pending in the court of Exclusive Court of POCSO, Siwan.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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