

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38932 of 2025

Arising Out of PS. Case No.-706 Year-2023 Thana- KOILWAR District- Bhojpur

Arvind Kumar Son of Lalbabu Rai Resident of Village- ward no 2 Koilwar,
P.S.-Koilwar, Distt.-Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chameli Devi Wife of Arjun Rai Resident of Village- P.O.- P.S.-Koilwar,
Distt.-Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar, Advocate
For the State	:	Mr. Md. Mushtaque Alam, APP

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

ORAL ORDER

4 02-09-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Koilwar P.S. Case No. 706 of 2023 instituted for the offence
under Sections 366A & 34 of the Indian Penal Code (IPC) and
Sections 8 & 12 of the POCSO Act. Subsequently, Section 363
of the IPC is added.

3. Prosecution case in a nutshell is that petitioner
allegedly took away the minor daughter of the informant with
the intention of marrying her.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 22-02-2025. Petitioner



bears two criminal antecedents, 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 for the petitioner submits that victim and petitioner has solemnized marriage and victim is residing at the house of the petitioner. Learned counsel submits that one child is born out of the wedlock and she is pregnant with a second child. There is delay of three days in lodging the FIR. Victim in her statement recorded under Section 164 of the Cr.P.C. has not whispered against the petitioner.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Police after completion of investigation has submitted charge sheet in this case under Sections 363 & 366(A) of the IPC and Sections 8 & 12 of the POCSO Act. Victim is minor.

7. Considering the aforesaid facts and circumstances of the case and since victim is minor, 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 and shall preferably conclude within a period of two months from today.

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

(Rudra Prakash Mishra, J)

Raj Kishore/-

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