

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41875 of 2025

Arising Out of PS. Case No.-51 Year-2023 Thana- ISHAKCHAK District- Bhagalpur

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Ashish Pandey S/o Bhairav Pandey R/o vill- Mahadevpur Goyra, Ramchua,
P.S.- Shambhuganj, Dist- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rina Devi W/o Late Prem Choudhary R/o vill- Ishakchak, Pasi Tola, Mirjan Hat, P.S.- Ishakchak, Distt- Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Munna, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

5 15-12-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Ishakchak P.S. Case No. 51 of 2023, instituted for the offences punishable under Sections 366(A), 376 of the Indian Penal Code and later on Section 4 of POCSO Act was added.

3. The prosecution case, in short, is that daughter of the informant went to take certain items from provisional store and did not return.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case.



Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of presumption and suspicion. It is next submitted that statement of the victim has been recorded under Sections 161 and 164 of Cr.P.C. in which she has stated that she left her house and went on her own will to marry the petitioner due to love and affection. It is further submitted that no specific allegation has been attributed against the petitioner rather the same is general and omnibus in nature. The petitioner is in custody since 26.12.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation against the petitioner of kidnapping informant's minor daughter and marrying her. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial. However, if the trial is not concluded within a period of six months from the date of receipt/production, the



petitioner will have liberty to renew his prayer for bail in the
Court below.

(Rudra Prakash Mishra, J)

Rajorshi/-

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