

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49558 of 2025

Arising Out of PS. Case No.-127 Year-2024 Thana- NAUHATTA District- Saharsa

Chandan Singh S/o Sandeep Singh R/o Village- Piyarepur, P.S.- Nagar
(Ghato), District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mohan Singh S/o Rajendra Singh R/o Vill- Balwa, P.S.- Navhatta, Distt- Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binod Murari Mishra, Advocate
For the Opposite Party/s	:	Mr. Anuj Kumar Shrivastava, APP
For the Informant	:	Mr. Nishant Choudhary, Advocate
		Mr. Madhav Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 13-10-2025 Heard learned counsel for the petitioner, learned
APP for the State and peruse the case diary.

2. The petitioner seeks bail in connection with Nauhatta P.S. Case No. 127 of 2024, instituted for the offences punishable under Sections 363, 366(A), 34 of the Indian Penal Code, read with Sections 8 and 12 of the POCSO Act.

3. The prosecution case, in short, is that the petitioner along with other co-accused persons have kidnapped the informant's minor daughter.

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 there is delay of five days in lodging the FIR. It is alleged that the petitioner has kidnapped the victim but the same is false and fabricated allegation. It is further submitted that the victim has fled from her house on her own will and performed marriage with the petitioner which is also supported by the victim herself in her statement recorded under Sections 161 and 164 of Cr.P.C. The petitioner is in custody since 14.12.2024 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation against the petitioner of kidnapping the informant's minor daughter. It is further submitted that the petitioner has performed marriage with a minor girl. Learned counsel for the informant also submits that the trial is in progress and out of six charge-sheeted witnesses, four witnesses have already been examined in this case. 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



as also the present stage of the case, 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.

(Rudra Prakash Mishra, J)

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