

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51030 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- BHANGHA District- West Champaran

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Jakir Miyan @ Jakir Hussain S/O Kamil Miyan R/O Village- Kotwa, P.S-
Bhangaha, Dist.- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Laxmina Devi W/O Sri Mohan Manjhi R/O Village- Kotwa, P.S- Bhangaha,
Distt.- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan, APP

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

ORAL ORDER

3 15-10-2025 Heard learned counsel for the petitioner and learned APP

for the State. Despite valid service of notice, none appears for

the informant.

2. The petitioner seeks bail in connection with

Bhangaha P.S. Case No. 34 of 2025 instituted for the offence

under Sections 137(2), 87, 352 & 3(5) of the Bharatiya Nyaya

Sanhita, 2023, Sections 4 & 6 of the POCSO Act and Sections

3(1)(r)(s) & 3(2)(va) of the SC/ST Act.

3. Prosecution case, in short, is that petitioner along

with co-accused person kidnapped the informant's daughter for

the purpose of marriage.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 11.03.2025. Petitioner bears no criminal antecedent, 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. There is delay of two days in lodging the FIR. Victim in her statement recorded under Section 183 of the BNSS, 2023 has stated that she herself eloped with the petitioner out of her own sweet will and volition. Victim has refused for her medical examination.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is fervently submitted that victim is minor and charge sheet in this case is submitted under Sections 96, 65(1) & 3(5) of the Bharatiya Nyaya Sanhita, 2023, Sections 4 & 6 of the POCSO Act and Sections 3(1)(r)(s) & 3(2)(va) of the SC/ST Act.

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 *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and



unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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