

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61282 of 2024

Arising Out of PS. Case No.-109 Year-2024 Thana- ITARHI District- Buxar

Nandjeet Kumar Son of Shiv Prasad Resident of Village - Bhitihar, P.S.-Itarhi,
District- Buxar

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Mina Devi Wife of Raj Kumar Ram Resident of Village - Bhitihari, P.S.-
Itarhi, District- Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP
For the Informant : None

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

ORAL ORDER

4 13-02-2025 Heard Mr. Anand Kumar Ojha, learned counsel for the

petitioner and Mr. Choubey Jawahar, learned APP for the State.

None appears on behalf of the informant despite valid service of

notice. Perused the case diary.

2. The petitioner seeks bail in connection with Itarhi
P.S. Case No. 109 of 2024 instituted for the offences under
Sections 363, 365 of the Indian Penal Code and 8 of the POCSO
Act.

3. The accusation against the petitioner is that he
kidnapped the daughter of the informant with ill intentions.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Learned counsel further submitted that there was love affair between the petitioner and the victim and the victim left her house on her own sweet will which is evident from the statement of the victim recorded under Section 164 of the Cr.P.C. It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.06.2024 and no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that police, after investigation, submitted charge-sheet under Sections 363, 366A, 376 of the IPC and Section 4/6 of the POCSO Act. Learned APP further submitted that the medical report of the victim supports the case of the prosecution and, therefore, petitioner may not be released on bail.

6. Considering the aforesaid facts and circumstances of the case and medical report of the victim and also taking into account the fact that police, after investigation submitted charge-sheet under Sections 363, 366A, 376 of the IPC and Sections 4/6 of the POCSO Act as also the nature and seriousness of offence, this Court is not inclined to grant bail to the petitioner.



7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

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