

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65800 of 2024

Arising Out of PS. Case No.-223 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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Kameshwar Prasad Gupta @ Kameshwar Prasad Son of Late Tharu Sah
Village- Kataha, Loknathpur, P.S.- Muffasil, District- East Champaran at
Motihari. At Present R/O A-78, Gali Panchsheel Colony, P.S.- Faridabad,
Dist.- Faridabad, Haryana.

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. Brij Mohan Singh Son of Chandrika Singh Vill.- Katha, Ward no. 14, P.S.-
Muffasil, Dist.- East Champaran at Motihari.

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Raghav Prasad , Advocate
For the Opposite Party/s : Mr. Kanhiya Kishor , APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 24-03-2025 Heard learned counsel for the petitioner and the

State .

2. Petitioner apprehends arrest in a case registered for

the offence punishable under sections 363 , 366 (A) and 34 of

the Indian Penal Code and section 8 , 12 of POCSO Act.

3 . As per the prosecution case , on the alleged date

and time of occurrence , this petitioner along with other co-

accused persons kidnapped the minor daughter of informant.

The victim in her statement recorded under section 164 Cr. P C

has categorically stated that it was co-accused Vishal Gupta who

kidnapped her and thereafter kept in the house of this petitioner.



Petitioner is none else than uncle of co-accused Vishal Gupta.
The Court below has assessed the age of the victim as 14 years.

4. Considering the nature of accusation , statement of
the victim under section 164 Cr. P C and gravity of offence ,
prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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