

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68571 of 2024

Arising Out of PS. Case No.-147 Year-2023 Thana- PARBATTa District- Bhagalpur

Ritesh Sahni @ Ritesh Kumar Son of Sri Tuntun Sahni Resident of Village-
Bahatara, PS- Parbatta, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manoj Sharma Son of Lahturan Sharma Resident of Village- Bahatara, PS-
Parbatta, District- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 21-03-2025 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 363 and 366(A) of the Indian Penal Code. Subsequently charge sheet has been submitted under Sections 363, 366(A) of the IPC and Section 4/8 of the POCSO Act.

3. The case of the prosecution is that the petitioner along with her mother enticed away the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. During the course of investigation, victim was recovered and she has given her statement recorded under Section 164 of the Cr.P.C. wherein she has stated that on 24.07.2023 she went out of her house and called this petitioner at station and from there they went to Kerala and there, they performed marriage on 26.07.2023. The victim has categorically stated that she has solemnized marriage with the petitioner with her own will. She has also stated that she is pregnant. From perusal of the statement of the victim recorded under Section 164 of the Cr.P.C. it transpires that she has gone with the petitioner with her own will. The petitioner was granted provisional bail vide order dated 07.10.2024 and from perusal of that order it transpires that petitioner is ready to keep the victim with full dignity and honour. Learned counsel for the petitioner has today submitted before this Court that he is still ready to keep the victim with full dignity and honour. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail. Learned counsel for the informant has submitted that the victim is not ready to live with the petitioner. He further



submitted that the petitioner used to threat the victim when she goes to college. It has also been prayed by him that the trial Court may be directed to expedite the trial.

6. In view of the above submissions, learned trial Court is directed to expedite the trial and the petitioner is directed not to threaten the victim.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, the provisional bail granted to the petitioner vide order dated 07.10.2024 is hereby confirmed.

8. This application stands disposed of.

(Ashok Kumar Pandey, J)

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