

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71462 of 2024

Arising Out of PS. Case No.-68 Year-2024 Thana- MADHWAPUR District- Madhubani

Md. Javed Sekh @ Md. Javed Son of Md. Samim Resident of Village-
Madhwapur ward no. 5, P.S.- Madhwapur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

5 24-02-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Madhwapur P.S. Case No. 68 of 2024 instituted for the offences
under Sections 363, 366A, 34 of the Indian Penal Code.

3. Prosecution case, in short, is that, on the alleged
date and time, the daughter of the informant went for tuition but
did not return. During search, informant learned that this
petitioner along with other co-accused persons had kidnapped
her daughter and sent to Nepal.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has committed no offence and has
falsely been implicated in the present case only on the basis of



suspicion. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that petitioner is nowhere connected with the occurrence. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 31.07.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State, Mr. Choubey Jawahar has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that pursuant to the earlier order dated 22.01.2025, he has procured the report regarding the recovery of victim girl from the Superintendent of Police concerned. He further submitted that the victim has not been recovered till date. Learned APP further submitted that on perusal of the case diary it appears that several witnesses have supported the case of the prosecution and therefore, involvement of the petitioner in the alleged occurrence cannot be ruled out.

6. Considering the aforesaid facts and circumstances of the case, victim being still traceless and the material available in the case diary against the petitioner, this Court is not inclined



to grant bail to the petitioner at this stage.

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

(Rudra Prakash Mishra, J)

Alok Verma/-

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