

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75559 of 2024

Arising Out of PS. Case No.-59 Year-2022 Thana- MANSURCHAK District- Begusarai

Abhinav Kumar @ Abhinav Arya @ Raushan Son of Late Mahesh Mahto@Umesh Mahto Resident of Village - Govindpur Tola Choupher, Police Station - Mansoorchak, District - Begusarai. Permanent Address - Ghat Nawada, Near Sawera Jewellers, Police Station - Mansoor Chak, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sangeeta Devi, Wife of Anil Sharma Resident of Village - Dwarikapur, Police Station - Anchuchak, District - Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar
For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-01-2025 1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in POCSO Case No.80 of 2024 arising out of Mansoorchak P. S. Case No.59 of 2022 registered for the offences punishable under Section 366(A) of the Indian Penal Code and later on, charge-sheet was submitted under Section 366(A) of the IPC and Section 8 of the POCSO Act.

3. The learned counsel for the petitioner submits that the petitioner is in custody since 01.07.2024, he is a person with clean antecedent and the informant alleges that on 27.06.2022,



her minor daughter aged about 14 years, 07 months had gone to attend coaching class at Mind Wise Coaching and was seen attending the class, when she did not return from coaching till late, the accused Vivek Kumar Singh, owner of the coaching institute, informed that victim will get late as he was attending extra classes, but when the victim did not return, the informant inquired, when students disclosed that the victim has gone with sir, thus alleges that Vivek kidnapped her minor daughter for immoral purpose in which petitioner is a teacher of the coaching institute along with others are involved.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant being a teacher in the said coaching instituted. It is also submitted that specific allegation of enticing the victim is against Vivek. It is next submitted that allegation against this petitioner is general and omnibus in nature. It is next submitted that petitioner is in custody since 01.07.2024.

5. Learned A.P.P. opposes the bail application and submits that from perusal of the order impugned it would manifest that the statement of the victim was recorded under Section 164 Cr.P.C wherein the victim has supported the case of the prosecution. The learned APP next submitted that the order



impugned records that the victim has elaborately and specifically attributed the offences committed by the person forcefully.

6. After hearing the learned counsel for the parties and considering the submissions made by the learned A.P.P., the Court is not inclined to release the petitioner on bail.

7. The prayer of the petitioner for regular bail stands rejected.

(Satyavrat Verma, J)

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