

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81291 of 2024

Arising Out of PS. Case No.-816 Year-2024 Thana- MADHEPURA District- Madhepura

Md. Saddam @ Md. Aakib Son of Md. Tulo Village -Naya nagar Ward No 1
PS -Barhi District -Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Santosh Kumar son of Late Ramanand Yadav village- Rajpur, Ps- Bharahi,
Dist- Madhepura

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kishore Thakur, Advocate
For the Opposite Party/s	:	Mr. Pushpa Sinha, APP
For the Informant	:	Mr. Uday Chand Prasad, Advocate

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

ORAL ORDER

3 19-02-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State. Perused
the case diary.

2. The petitioner seeks bail in connection with
Madhepura (Bharai O.P.) P.S. Case No. 816 of 2024 instituted
for the offences under Sections 96, 65(1) of the Bharatiya Nyaya
Sanhit and 4/6 of the POCSO Act.

3. Allegation against the petitioner is that he seduced
the minor daughter of the informant and fled away with her.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the
present case with ill intention. Learned counsel for the petitioner



submitted that general and omnibus allegation has been made against the petitioner. Learned counsel further submitted that the statement of the victim is not supported by the medical report. It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.07.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 164 of the Cr.P.C. has specifically stated that this petitioner established physical relations with her.

6. Considering the aforesaid facts and circumstances of the case, statement of the victim recorded under Section 164 of the Cr.P.C., 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.

(Rudra Prakash Mishra, J)

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