

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79798 of 2024

Arising Out of PS. Case No.-118 Year-2024 Thana- AAJAM NAGAR District- Katihar

Pankaj Kumar Ray @ Pankaj Kumar Son of Dhananjay Ray Resident of
Village- Azam Nagar, P.S.- Azam Nagar, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar Singh, Adv.

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

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

ORAL ORDER

3 06-02-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Azam
Nagar P.S. Case No. 118 of 2024 instituted for the offences
under Sections 366(A)/34 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
petitioner is of kidnapping the minor daughter of the Informant
with an intention to marry with her.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
There is delay of two days in the lodging the F.I.R. without there
being any plausible explanation for such delay. Learned counsel



for the petitioner further submits that there was a love affair between the petitioner and the victim girl and they went to to Azam Nagar Kali Mandir and solemnized marriage with her at Kali Mandir. There is no independent witness who has supported the allegation against the petitioner. The victim girl has also accepted that they were in love and she solemnized marriage with the petitioner on her own will and volition. The petitioner has no criminal antecedent and is languishing in judicial custody since 29.03.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. There is specific allegation against the petitioner of kidnapping the Informant's minor daughter with an intention to marry with her. The victim girl in her statements recorded under Sections 161 and 164 Cr.P.C. has stated that the petitioner forcefully established physical relationship with her in the hotel.

6. Having heard rival contention of both the parties and considering the nature and gravity of the offence as also taking into consideration the statements of the victim girl recorded under Section 164 Cr.P.C., this Court is not inclined to grant bail to the petitioner.



7. Accordingly, the prayer for bail of the petitioner is hereby rejected with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of six months from the date of receipt/production of a copy of this order.

8. If the trial is concluded within the aforesaid period of six months, the petitioner will be at liberty to renew his prayer for bail before the court below which will be disposed of on its merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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