

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88269 of 2024

Arising Out of PS. Case No.-130 Year-2024 Thana- SHEKHPURA District- Sheikhpura

Shishu Pal Kumar @ Nepal Kumar @ Chhoto Son of Umesh Prasad R/o Vill-
Hasim Khandhan Bangaliper Sheikhpura, P.S- and District - Sheikhpura at
Present Resident of Village Katarpur, P.S - Katrisarai, District - Nalanda
... .. Petitioner/s

Versus

1. The State of Bihar
2. Nand Lal Prasad Son of Late Baleshwar Prasad Resident of Vill-Banganlipor, P.S. and District- Sheikhpura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Niranjana, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP
For the Informant : Mr. Satya Prakash Srivastava, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 16-05-2025 Heard learned counsel for the petitioner, learned
APP for the State, learned counsel for the informant and perused
the case diary.

2. The petitioner seeks bail in connection with Sheikhpura P.S. Case No. 130 of 2024, instituted for the offences punishable under Sections 366(A) and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioner along with other co-accused persons are involved in the alleged offence of kidnapping the informant's minor daughter. The informant later got knowledge that the petitioner has forcibly performed marriage with his daughter.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that the petitioner has not kidnapped informant's daughter. The victim in her statement of the victim recorded under Section 164 of Cr.P.C. has not alleged anything against the petitioner, rather she has stated that both of them were in love with each other and she on her own will went with the petitioner and performed marriage with him. It is next submitted that the victim has refused for her medical examination. The petitioner is in custody since 26.07.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 19.11.2024 passed in Cr. Misc. No. 42893 of 2024.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submits that the victim is minor and the offence alleged against the petitioner is serious in nature.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation, the gravity of the offence and



the victim is a minor girl, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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