

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 70731 of 2025

Arising Out of PS. Case No.-207 Year-2024 Thana- RANIGANJ District- Araria

Md. Abub Son of Md. Wasil Resident Of Village -Bishanpur Ward No 12
Police Station -Raniganj District -Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjila Khatoon Wife of Md. Nasir Resident Of Village -Bishanpur Ward No 12 Police Station -Raniganj District -Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Mukesh Kumar Rana, Advocate
For the Opposite Party/s :	Mr.Anand Kishore Choudhary, APP
	Mr. Vijay Kishore Bharti, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 21-01-2026 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Raniganj P.S. Case No. 207 of 2024 dated 18.05.2024 which was initially instituted for offences punishable under Sections 363 and 366A/34 of the Indian Penal Code. However, the police have subsequently submitted the charge sheet under Sections 366A and 376 of the I.P.C. along with Section 6 of the Protection of Children from Sexual Offences (POCSO) Act.

3. The petitioner along with co -accused Md. Mofij is alleged to have abducted the informant's daughter on a motorcycle.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the statement of the victim girl was recorded under Section 183 of the *Bharatiya Nagarik Suraksha Sanhita, 2023* wherein, she stated that a love affair had been going on with the petitioner for the past four years and on the alleged date of occurrence, she left her house and went to Punjab along with the petitioner, where she solemnized her marriage with him. She stated she was not kidnapped. Further, it is submitted that the so-called victim has given birth to a baby, who is now aged about one month. Learned counsel also submits that out of seven charge-sheet witnesses, only two witnesses have been examined so far. Lastly, it is submitted that the petitioner has been in custody since 01.06.2025 and has no criminal antecedents. Charge has already been framed in the present case.

5. Learned counsel for the informant and the learned APP for the State have opposed the prayer for bail. It is submitted that two witnesses, namely, the father of the victim, Nasir (PW-1) and the victim herself (PW-2) have been examined during the trial and have categorically supported the prosecution case. It is further submitted that the victim is a minor girl and has stated that the petitioner established physical



relations with her against her will.

6. Considering the serious nature of the allegations coupled with the fact that the victim is a minor as also the corroboration of the prosecution case by the father (PW1) and the victim (PW 2) and the gravity of the offences, this Court finds that the petitioner is not entitled to bail at this stage.

7. Accordingly, the bail application of the petitioner is rejected.

8. However, the learned Trial Court is directed to expedite the trial and take all endeavour to conclude the trial at the earliest, preferably, within a period of one year from the date of receipt or production of a copy of this order.

(Khatim Reza, J)

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