

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75023 of 2025

Arising Out of PS. Case No.-275 Year-2023 Thana- BELA District- Sitamarhi

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Shivam Kumar S/o Anil Kumar Yadav R/o Village - Sirsiya Bazar, P.S - Bela,
District - Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/o - XX R/o Village - Sirsiya, P.S - Bela, District - Sitamarhi

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Uday Kumar, Advocate
For the State : Mr. Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 363, 366A, 504 and 34 of the
Indian Penal Code and Section 8 of the POCSO Act.

3. As per prosecution case, it is alleged that on
04.12.2023, all the F.I.R. named accused persons, including this
petitioner, kidnapped minor daughter of informant.

4. Learned counsel for the petitioner submits that
petitioner is quite innocent and has falsely been implicated in
this case merely on suspicion. Informant is not an eye witness to



the occurrence and petitioner has falsely been implicated in this case merely on suspicion. Charge-sheet has already been submitted and petitioner, having no criminal antecedents, is in custody since 22.08.2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that petitioner is named in the F.I.R. with specific accusation that he, along with other accused persons, kidnapped minor daughter of informant. During course of investigation, the victim was recovered and in her statement, recorded under Section 164 of the Cr.P.C., she has supported the prosecution case and has categorically stated that this petitioner, along with co-accused Guddu Kumar, on the point of knife, kidnapped her and forcibly established physical relations with her.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation and statement of the victim recorded under Section 164 of the Cr.P.C., the prayer for grant bail of to the petitioner is rejected.

7. However, considering the fact that petitioner is in custody since 22.08.2025, the learned trial court is directed to expedite the trial and conclude the same, preferably within a period of one year from the date of receipt/production of a copy



of this order.

(Prabhat Kumar Singh, J)

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