

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21231 of 2019**

Arising Out of PS. Case No.-90 Year-2018 Thana- KATIHAR MUFFASIL District- Katihar

MD. ZAMIL @ MD. ZAMIL AKHTAR Son of Md. Rahul Resident of
Village-Makhdumpur, Police Station-Katihar Muffasil, District-Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratnakar Ambastha

For the Opposite Party/s : Mr.Anita Kumari Singh

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 09-05-2019

This application, for grant of anticipatory bail, arises out of Katihar Muffasil P.S. Case No. 90/18, disclosing offences under Sections 363A, 366A, 34 of the Indian Penal Code and Section 4 of the POCSO Act.

Allegation against the petitioner and others is of kidnapping the minor sister of the informant.

Submission of learned counsel for the petitioner is that save and except the allegation that petitioner was also accompanying, there is no further allegation of any overt act and he is a student and has falsely been roped in the present case.

Learned counsel for the State opposed the prayer for bail and submitted that the girl in her statement under Section 164 Cr.P.C. has also named this petitioner.

Having heard both sides, considering the facts and



circumstances and the nature of allegation, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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