

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78446 of 2019

Arising Out of PS. Case No.-10 Year-2019 Thana- MAHILA P.S. District- Muzaffarpur

MD. AFROZ Son of Md. Mumtaj Resident of Village - Banaras Bank Chowk,
Nala Road, P.S.- Town, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 03-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 354(A), 354(D), 363, 506 and 34 of the Indian Penal Code and Section 8 of the POCSO Act, registered in connection with Mahila P.S.Case No. 10 of 2019.

3. It is submitted that the petitioner has been falsely implicated on the accusation of having taken away the informant's minor daughter aged nine years on a motor-cycle and committed the alleged offence along with co-accused Md. Sharukh. It is submitted that the FIR has been lodged after inordinate delay on 06.03.2019 for the alleged occurrence of 19.02.2019. It is further submitted that aforesaid co-accused Md. Sharukh has since been granted regular bail by the learned



court below pursuant to the direction of this Court rejecting his prayer for anticipatory bail in Cr. Misc. No. 35924 of 2019.

4. Having regard to the nature of accusations and gravity of offence, coupled with the direct allegation against the petitioner of having committed the alleged offence, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

5. If the petitioner surrenders and seeks regular bail before the learned court below, the same shall be considered on its own merit in accordance with law and without being prejudiced by any observation in the present order.

(Vikash Jain, J)

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