

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9288 of 2020

Arising Out of PS. Case No.-63 Year-2019 Thana- SHAMBHUGANJ District- Banka

MANISH RAM Son of Chhatish Ram Resident of Parmanandpur, P.S-
Shambhuganj, District-Banka. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karuna Nath Sahay

For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 15-06-2020 This case has been heard through video-conferencing.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 366 A/34
of the Indian Penal Code and Section 12 of the POCSO Act.

While the informant was sleeping with his family
members in his house, at about 12 at night his daughter went to
attend the call of nature but she did not return. A search was
made but he could not find his daughter. Subsequently, he
gathered information that petitioner along with two other
accused persons have taken away his daughter for marriage.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He has been
falsely implicated in this case. The allegation levelled against
the petitioner is not specific rather general and omnibus in



nature. He has been made accused in this case on mere suspicion. There is no eye-witness of the occurrence. As a matter of fact, the victim girl was in love with the petitioner and out of her sweet will she had left her house. The girl is more than 18 years. It is also submitted that she has married to another person. Petitioner has no criminal antecedent.

Learned APP for the State vehemently opposing the bail petition submitted that the petitioner along with his two associates has taken the daughter of the informant for the purpose of marriage, hence he does not deserve anticipatory bail by this Court.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order on the same very day.

(Anjani Kumar Sharan, J)

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