

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1853 of 2021

Arising Out of PS. Case No.-120 Year-2020 Thana- KESARIA District- East Champaran

PAWAN PRASAD @ RANJEET KUMAR, S/O GULTAN PRASAD,
Resident Of Village - Baishakhwa, P. S. - Keseriya, District - East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Adv.
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-12-2021 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Md.
Fahimuddin, learned APP for the State.

The petitioner in the present case is seeking pre-arrest
bail in connection with Keseriya P.S. Case No.120 of 2020
registered for the offences punishable under Sections 363,
366(A), 120(B)/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that, as per
the First Information Report, the allegation against the petitioner
is that he had kidnapped the minor daughter of the informant.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case due to village politics. Learned counsel submits that as a matter of fact no occurrence as alleged in the FIR has taken place. It is submitted that the petitioner has got no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for pre-arrest bail of the petitioner.

Having regard to the materials placed before this Court showing that the victim is a minor girl and in her statement under Section 164 Cr.P.C. she has supported the allegations that this petitioner had been accompanying her after kidnapping and had indulged in committing rape, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. The prayer is, thus, refused.

If the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

