

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13639 of 2022

Arising Out of PS. Case No.-101 Year-2020 Thana- PAKRIDAYAL District- East Champaran

RAMU PATEL S/o- LATE KAILASH RAUT Resident of Village- Akauna,
Ward No.6, Post Office- Chorma, Police Station- Pakaridayal, District- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mrs. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner undertakes to
remove the defects, as pointed out by the office, within four
weeks. In the eventuality of non-removal of defects within
undertaken period, the office will place the matter before the
Bench.

The petitioner apprehends his arrest in Pakaridayal
P.S. Case No. 101 of 2020 registered for the offences
punishable under Section 366A & 506/34 of the Indian Penal
Code pending in the Court of learned A.D.J.-VII-cum-Special
Judge, POCSO Act, East Champaran at Motihari.

The petitioner is said to have forcibly kidnapped
the daughter of the informant.



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 due to previous enmity. Both the parties are next door neighbours. There is delay of four days in lodging the F.I.R. without assigning any explanation for the said delay. The petitioner has no criminal antecedent.

Learned APP for the State vehemently opposing the bail petition submitted that the victim is minor and in her statement recorded under Section 164 Cr.P.C. she has supported the prosecution case in toto. Hence, the petitioner does not deserve anticipatory bail.

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 on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J.)

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