

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16602 of 2022

Arising Out of PS. Case No.-334 Year-2021 Thana- MOTIPUR District- Muzaffarpur

Amresh Kumar @ Amresh Ray Son Of Satyanarayan Ray Resident Of
Village- Mursandi Mathiya, P.S.- Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 22-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Motipur P.S. Case no. 334 of 2021 instituted for the offence under Sections 4/8/6 of the POCSO Act.

As per allegation in the FIR, petitioner in connivance with his family members kidnapped the informant's sister who is minor girl, aged about 14 years, for wrong doing. It is further alleged that when the informant went to the house of the petitioner to enquire into the matter then they started abusing and threatened to kill him.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Allegations levelled



against the petitioner is ornamental in nature. There was love affair between the petitioner and the victim girl. Allegedly, victim girl cohabited with the petitioner for twelve days but then also she was in telephonic touch with her family members.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that after recovery of the victim girl, her statement was recorded under Section 164 Cr.P.C. wherein she has made direct allegation against the petitioner and stated that he had taken away to her by administering obnoxious material due to which she became senseless and after getting sense, she found herself confined in a locked room. She further alleged that petitioner committed wrong with her. During investigation, several witnesses have supported the prosecution story.

Having heard learned counsel for the parties and considering the fact that there is direct allegation of kidnapping and rape upon the minor girl by the petitioner, I am not inclined to grant anticipatory bail to the petitioner. His application for anticipatory bail stands rejected.

(Sunil Kumar Panwar, J)

sushma/shivani/-

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