

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23673 of 2022

Arising Out of PS. Case No.-142 Year-2021 Thana- RAJEPUR District- East Champaran

LAKHINDRA BAITHA SONOF PAVOT BAITHA R/O- VILL-
BARIYARA, P.S.- RAJEPUR, DIST.- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-08-2022 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under section 363, 354(B), 120(B)/34 of IPC, section 8 12 of POCSO Act and section 3(i)(r)(s)w(i) SC/ST Act.

Allegedly, the petitioner along with other accused persons kidnapped the minor daughter of the informant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case on the basis of wrong



information. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. He further submits that her statement was recorded under section 161 Cr.P.C. in which she had not supported the prosecution case, but later on after three months she has recorded under section 164 Cr.P.C. and has taken the name of the petitioner. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the victim girl is a minor.

Having regard to the facts and circumstances of the case, since the victim is a minor, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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