

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34694 of 2022

Arising Out of PS. Case No.-371 Year-2019 Thana- BAHERA District- Darbhanga

RAJESH MUKHIYA S/o Late Jitu Mukhiya R/o village- Bahera, Ward No.
02, Nagar Parishad, Benipur, Mohan Bahera, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha, Adv

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-09-2022 Heard learned counsel for the petitioner and learned APP
for the State.

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 apprehend his arrest in a case registered for the offence punishable under sections 363, 366A, 34 of the Indian Penal Code.

Allegedly, the petitioner alongwith his family members kidnapped the minor daughter of the informant for the purpose of marriage.

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 due to dirty village politics. 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. The occurrence took place 29.07.2019 but the F.I.R. was lodged on 04.08.2019 i.e. after a delay of 6 days, without giving any plausible explanation regarding the said delay. The girl is major but she is alleged as minor. Petitioner has no criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the statement of the victim was recorded under section 164 Cr.P.C. in which she has supported the prosecution story.

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

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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