

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41147 of 2022

Arising Out of PS. Case No.-39 Year-2022 Thana- ARIYARI District- Sheikhpura

SUBODH KUMAR S/o Rajesh Choudhary R/o village- Baikatpur, P.S.-
Ariyari, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyapal Singh

For the Opposite Party/s : Mr. Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-11-2022 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 Ariyari P.S. Case No. 39 of 2022 registered for the offences punishable under Section 366 A of the Indian Penal Code and Section 8 of the POCSO Act pending in the Court of learned A.D.J.-VI, Sheikhpura.

The minor daughter of the informant is said to have been kidnapped by the petitioner with an intention to



solemnize marriage.

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 dirty village politics. The victim in her statement made under Section 164 Cr.P.C. has stated that she has gone with the petitioner out of her sweet will. Petitioner has no criminal antecedent.

Learned APP for the State vehemently opposing the bail petition submitted that the petitioner has kidnapped the minor girl of the informant, who is aged about 16 to 17 years, with an ill motive. Hence, the petitioner does not deserve anticipatory bail.

Considering the facts and circumstances of case and the seriousness of the allegation, 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 in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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