

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62005 of 2021

Arising Out of PS. Case No.-205 Year-2021 Thana- RAMGARHWA District- East
Champaran

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CHANDRA KISHORE PANDEY S/o LATE SHIV PUJAN PANDEY R/o
VILLAGE-GAMHARIYA, P.S- RAXAUL, DISTRICT-EAST
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sumeet Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-06-2022 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 Ramgarhwa P.S. Case no. 205 of 2021 instituted for the
offence punishable under Section 366(A), 34 of the Indian
Penal Code and Section 8 of the POCSO Act.

As per allegation in the FIR, when the minor daughter
of the informant went to see a Baraat in village and had not
returned, then informant started a search and during course of
search, he came to know that two sons of the petitioner along
have kidnapped his daughter. Informant went to the house of
the petitioner then he replied that she will be back to her home



within 15-20 days. After lapse of given time, she did not return and then the informant has lodged the present case.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. In the impugned order, learned Sessions Judge has referred para no. 13 of the case diary, statement of witness, Miraj Ansari, who has stated that while he was watching Baraat, he had seen that a girl was being carried by sons of the petitioner, namely, Dheeraj Pandey and Neeraj Pandey by a four wheeler. Specific allegation of kidnapping is against both the sons of the petitioner and not against him. There is delay of about two months in lodging the FIR, which falsify the prosecution story.

Learned APP appearing for the State has opposed the prayer of bail.

Having heard learned counsel for the parties and taking into consideration that the victim girl has not been recovered yet, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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