

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2017 of 2023**

Arising Out of PS. Case No.-432 Year-2018 Thana- SARAIYA District- Muzaffarpur

Arti Kumari D/O Arjun Sah R/V- Khaira P.S- Saraiya Dist- Muzaffarpur

... .. Petitioner/s

Versus
of

The State
... .. Opposite Party/s

Bihar

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate
For the Opposite Party/s : Mr.Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 03-05-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Saraiya (Jaitpur O.P) P.S. Case No. 432 of 2018 registered for
the offences punishable under Section 363, 366(A) of the
Indian Penal Code.

As per the FIR, the accused persons including the
petitioner have abducted the minor daughter of the informant
and sold her.

Learned counsel for the petitioner submitted that
petitioner has falsely been implicated in this case. It is further
submitted that there is no specific overt act has been attributed
against the petitioner. The occurrence took place on 02.09.2018
and FIR has been lodged on 22.09.2022 after delay of 20 days
and the statement of victim recorded under section 164 of the



Cr.P.C after one year. It is further submitted that petitioner has clean antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the statement of victim recorded under section 164 of the Cr.P.C, I am not inclined to grant privilege of anticipatory bail to the petitioner and accordingly, his prayer for anticipatory bail stands rejected.

However, if petitioner surrenders before the learned court below within a period of six weeks from today, and pray for regular bail, the learned court below shall consider the prayer for regular bail of the petitioner, preferably, on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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