

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13425 of 2023

Arising Out of PS. Case No.-488 Year-2022 Thana- DEHRI TOWN District- Rohtas

Ashok Kumar Son Of Late Mukhlal Ram R/O Vill.- Babuganj, P.S.- Dihari Town, Distt.- Rohtas, At Present R/O Mohalla- Junadih Near Kali Mandir, P.S.- Bel Pahar, Distt.- Jhasuora (ODISHA)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Kaushaliya Devi W/O Sanjay Chaudhary resident of village- Ambedkar Chawk, Ward No. -38, P.S.-Dehri Town, District-Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 03-10-2023 Heard learned counsel for the petitioner and Mr. Yogendra Kumar, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Dehri (T) P.S. Case No. 488 of 2022, F.I.R. dated 05.07.2022 for the offences punishable under Sections 363 and 366A of the Indian Penal Code.

3. According to prosecution case, the daughter of the informant was traceless. It was alleged that she was abducted by this petitioner.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that date of occurrence as alleged in the F.I.R is 02.07.2022 but the present F.I.R was instituted on 05.07.2022 i.e. after delay of 3 days without giving any explanation of the said delay.

5. The learned Additional Public Prosecutor on the basis of material available on record and case diary has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he has abducted the daughter of the informant.

6. Considering the allegation as alleged in the F.I.R and the material available on record, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Dehri (T) P.S. Case No. 488 of 2022 pending in the court of Sub Divisional Judicial Magistrate, Dehri (Rohtas).

(Rajesh Kumar Verma, J)

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