

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15806 of 2023

Arising Out of PS. Case No.-223 Year-2021 Thana- SUPAUL District- Supaul

-
1. Md. Sahzaad Alam @ Sazzad Alam @ Md. Sazzad Alam Son Of Md. Kalimuddin R/V- Pathra, P.S. And District- Supaul
 2. Md. Samam @ Md. Samam Alam Son Of Md. Kalimuddin R/V- Pathra, P.S. And District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in Supaul P.S.
Case No. 223 of 2021 registered for the offences punishable
under Sections 341, 342, 120B, 363, 366A, 368, 376DA and 34
of the Indian Penal Code and Sections 4, 6 of the POCSO Act,
pending in the Court of learned ADJ-VI-cum-Special judge
POCSO Act, Supaul.

As per the prosecution case, the petitioners along
with other co-accused is said to have kidnapped minor daughter
of the informant.

Learned counsel for the petitioners submits that no



such occurrence as alleged ever took place. They have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioners. The petitioners gave got no criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State opposes prayer for anticipatory bail and submits that the statement of the victim was recorded under Section 164 of the Cr.P.C., in which she has supported the prosecution case and victim is minor. Hence, They do not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case and the statement of the victim under Section 164 of the Cr.P.C., I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

(Anjani Kumar Sharan, J)

anand/-

U		T	
---	--	---	--

