

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19450 of 2023

Arising Out of PS. Case No.-171 Year-2020 Thana- SHEOHAR District- Sheohar

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DHARMENDRA KUMAR SON OF GAGANDEV SAHNI R/O VILLAGE-
KANSAR, P.S.- BELSAND, DISTRICT- SITAMADHI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-07-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 363, 366A, 34 of the Indian Penal Code and Section 12 of POCSO Act.

The allegation against the petitioner is that he kidnapped the daughter of the informant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. He further submits that the victim has not supported the prosecution case in her statement recorded under Section



164 of the Cr.PC. She has also stated in her statement that earlier also she had fled away from her home. She stated that she went away from her house with her own consent to meet with the petitioner. It is submitted by the learned counsel for the petitioner that the medical board has assessed the age of the victim girl as 18-20 years. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case as well as considering the statement of victim recorded under Section 164 of the Cr.PC, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Sheohar P.S. Case No.171 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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