

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19101 of 2023**

Arising Out of PS. Case No.-262 Year-2022 Thana- MAHNAR District- Vaishali

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SUNNY KUMAR RAJAK @ SUNNY RAJAK SON OF BIRAJU RAJAK @
BIRAJU BAITHA R/O VILLAGE- GORIGAMA, WARD NO.7, P.S.-
MAHNAR, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Rabindra Kumar

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

4 24-07-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 365, 366(A)/34 of the Indian Penal Code and Section 4, 8 of the POCSO Act.

3. The allegation against the petitioner is that he, in association with other co-accused persons kidnapped the daughter of the informant.

4. 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 Cr.PC. Petitioner has no criminal antecedent.

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

6. Having regard to the facts and circumstances of the case and considering the statement of victim recorded under Section 164 of 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 Mahnar P.S. Case No.262 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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