

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27756 of 2023

Arising Out of PS. Case No.-8 Year-2023 Thana- MAHESHKHUNT District- Khagaria

MD. AMIR @ AMIR KHAN S/O MD. SHOAB KHAN @ SHOAB KHAN
Resident of Village- Salim Nagar, P.S.- Maheshkhunt, District- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 07-08-2023 1. Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 366(A)/34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent.

4. The informant alleges that his minor sister was kidnapped by named accused persons.

5. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that the victim has not supported the case of the prosecution in her statement recorded under Section 164 Cr.P.C. It is next submitted that from the order impugned, it would manifest that the victim in her statement recorded under Section 164 Cr.P.C. has stated that she had accompanied the petitioner on her own will.



Learned counsel for the petitioner very fairly submits that the petitioner came to be implicated because of his animosity which was existing between him and the informant being the neighbours. Learned counsel thereafter very fairly submits that the victim in her statement recorded under Section 164 Cr.P.C. has disclosed her age as 13 years.

6. Learned counsel for the petitioner thus seeks permission to withdraw this application for grant of anticipatory bail.

7. Permission is accorded.

8. Accordingly, this application for grant of anticipatory bail on behalf of the petitioner is dismissed as withdrawn in connection with Maheshkhunt P.S. Case No. 08 of 2023 pending in the Court of learned Judicial Magistrate, 1st Class, Khagaria/Successor Court.

9. However, if the petitioner surrenders on or before 22.08.2023, the learned trial court shall dispose of the case on the same day keeping in mind the fact that the victim has not supported the case of the prosecution and petitioner is a person with clean antecedent and will also take into consideration the submissions recorded hereinabove.

(Satyavrat Verma, J)

Kundan/-

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

