

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26851 of 2023

Arising Out of PS. Case No.-613 Year-2022 Thana- PAROO District- Muzaffarpur

Abdul Kadir @ Kadir Ali Khan Son of Md. Iliyas Resident of Village -
Daudpur, P.S.- Paroo, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Parasmani, Advocate
For the Informant	:	Mr. Manjeet Kumar Mishra, Advocate
For the State	:	Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-10-2023 Heard Mr. Sanjay Parasmani, learned counsel for the petitioner, Mr. Manjeet Kumar Mishra, learned counsel appearing on behalf of the Informant and Mr. Sanjay Kumar Sharma, learned APP for the State.

2. The petitioner is apprehending his arrest connection with Paroo P.S. Case No. 613 of 2022 dated 13.12.2022 registered for the offences punishable under Sections 363, 366A, 34, 120(B) of the Indian Penal Code.

3. The prosecution case, in short, is that on 10.10.2022 accused persons including the petitioner are alleged to have kidnapped the minor daughter of the informant aged about 16 years.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely 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 offence as alleged in the F.I.R. and from perusal of the F.I.R. it appears that the alleged date of occurrence is 10.12.2022 but the present F.I.R. was instituted on 13.12.2022 after delay of three days without giving any explanation of delay and afterthought only to falsely implicated the petitioner.

5. Learned counsel for the Informant as well as learned APP for the State, on the other hand, on the basis of material available on record and case diary, vehemently opposed the prayer for anticipatory bail of the petitioner and submits that there is specific allegation against the petitioner that he has abducted the daughter of the informant and the statement of the victim girl was recorded under Section 164 of the Cr. P.C. in which she has categorically stated that the petitioner has abducted her.

6. In view of the aforesaid, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Paroo P.S. Case No. 613 of 2022 pending in the Court of Judicial Magistrate, 1st Class, Muzaffarpur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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