

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35240 of 2023

Arising Out of PS. Case No.-118 Year-2021 Thana- KHUDAGANJ District- Nalanda

Sarjun Paswan @ Sarju Paswan S/O Late Parmeshwar Paswan R/O Village-
Chiraiyatad, P.S.-Atri, Dist.-Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Kumar

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 366A, 120(b)/34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. Petitioner along with other accused persons are said to have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the victim in her statement has not disclosed a single word which attract ingredients of POCSO Act. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

5. Learned APP for the State opposing the prayer



for bail submits that the victim in her statement recorded under Section 164 Cr.P.C. has supported the prosecution case.

6. Considering the nature of offence, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Khudaganj P.S. Case No. 118 of 2021.

7. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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