

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38230 of 2022

Arising Out of PS. Case No.-440 Year-2020 Thana- KISHANGANJ District- Kishanganj

1. Durgesh Lal Harijan @ Durgesh Harijan Son Of Bimal Lal Harijan R/O Village- Bosak Tola Baigan, P.S.- Terhagachh, District- Kishanganj
2. Niraj Kumar Bosak @ Niraj Kumar Son Of Gunit Lal Bosak R/O Village- Bosak Tola Baigan, P.S.- Terhagachh, District- Kishanganj
3. Praduman Kumar Bosak @ Pradyum Son Of Mannu Lal Bosak R/O Village- Bosak Tola Baigan, P.S.- Terhagachh, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-02-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners undertakes to
remove the defects within four weeks.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 363, 366
and 34 of the Indian Penal Code pending in the learned court
below.

Allegation against the petitioners is that they along
with other co-accused persons are said to have abducted the
daughter of the informant for marriage.



Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioners. He submits that there is delay of 15 days in filing of the present FIR and there is no any explanation of it which creates creates serious doubt about the prosecution case. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submitted that the statement of the victim was recorded u/s 164 Cr.P.C. in which she had supported the prosecution case. Hence, they do not deserve anticipatory bail.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail in connection with Kishanganj P.S. Case No. 440/2020. Accordingly, their prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

ajay/-

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

