

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38660 of 2023

Arising Out of PS. Case No.-177 Year-2022 Thana- DEWARIA District- Muzaffarpur

ROHIT KUMAR, Son of Bipin Sahani, Resident of village - Mohabbatpur,
P.S. - Deoriya, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 31-07-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Deoriya P.S. Case no. 177 of 2022 (arising out of G.R. no. 2926 of 2022) registered under sections 363, 366A and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that his 17 years old minor daughter who had gone out to fetch wood did not return. In course of search it transpired that the three named accused persons including the petitioner herein had kidnapped her. The informant apprehends that she may also be sold.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No



such occurrence as alleged had taken place. There is an inordinate delay in lodging of the F.I.R. The petitioner has no concern either with the alleged victim or the members of the informant's family. He has no criminal antecedent.

5. Heard learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the material on record including the contents of the statement of the victim under section 164 of the Cr.P.C., which has come in paragraph no. 37 of the case diary, wherein, she has named the petitioner of forcibly taking her away on a motorcycle, the Court is not inclined to enlarge the petitioner on anticipatory bail and the application is rejected.

7. The petitioner is directed to surrender in the learned trial Court within four weeks.

(Partha Sarthy, J)

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