

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42930 of 2022

Arising Out of PS. Case No.-455 Year-2021 Thana- JOGAPATTI District- West Champaran

JAYPRAKASH KUMAR @ JEPI MUKHIYA S/o- Nandlal Mukhiya R/o-
Village - Nawalpur, P.S.- Yogapatti, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mrs. Pushpa Sinha-1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State assisted by learned counsel for the
informant.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 363 and 366A/34 of the Indian Penal Code and under Section 4 of POCSO Act.

The petitioner in association of all the F.I.R. named accused is said to have abducted the daughter of the informant for the purpose of marriage.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to dirty village politics and malice. The allegation levelled against the petitioner is not



specific rather general and omnibus in nature. It is further submitted that this false case has been brought with a view to vex, victimize and harass the petitioner. It is also submitted that the victim has not supported the prosecution case in her statement made under Section 164 Cr.P.C. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State assisted by learned counsel for the informant vehemently opposing the bail petition submitted that the processes under Sections 82 and 83 Cr.P.C. has already been exhausted, which is clear from the case diary, hence this application is not maintainable.

Considering the facts and circumstances of case and particularly considering the criminal antecedents, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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