

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44124 of 2023

Arising Out of PS. Case No.-134 Year-2023 Thana- CHHATAUNI District- East Champaran

Anuj Ranjan Jha, S/O Pitambar Jha R/O Village- Lala Chhapra, Ward No. 01,
P.O.- Kesariya, Ps. Kesariya, Dist. East Champaran, Bihar-845424

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Mohan Singh

For the Opposite Party/s : Ms.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in G.R. No.1658 of 2023 arising out of Chatauni P. S.
Case No.134 of 2023 registered for the offences punishable
under Sections 363, 366(A)/ 34 of the Indian Penal Code and
Section 8 of the POCSO Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that petitioner along with accused persons
kidnapped his minor granddaughter aged about 17 years.

4. The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the present case. It is
next submitted that the victim prior to eloping with the



petitioner had given an application to the police stating therein that she feels uncomfortable staying in her house and thus, she is leaving her house and in the event, if any case is instituted about her missing, then the police should not accept such case. It is next submitted that since the petitioner and the victim were known to each other, as such, they went to Prayagraj and the moment, the present F.I.R. came to be instituted, the victim came back and under parental pressure, got her statement recorded under Section 164 of the Cr.P.C. wherein she supported the case of the prosecution and stated that she was known to the petitioner and left with him for Prayagraj where he established physical relation and made video clip.

5. The learned A.P.P. opposes the bail application and submits that no doubt, in the F.I.R., it is alleged that victim is 17 years of age, but then, she had reached the age of discretion and what has been submitted by the learned counsel for the petitioner might have been the fact, but then, the victim does not support the case of the prosecution in her statement recorded under Section 164 of the Cr.P.C. It is next submitted that it appears that the victim left with the petitioner considering him to be a friend, but then, the petitioner in guise of a friend committed an act of a beast where he entered into physical



relation and even made video clip, as such, the victim had no option, but to state the facts as recorded in her statement under Section 164 of the Cr.P.C.

6. Considering the submission made by the learned Additional P. P., the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

(Satyavrat Verma, J)

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