

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46452 of 2022

Arising Out of PS. Case No.-8 Year-2022 Thana- BELA District- Sitamarhi

MANOJ RAI Son of Late Ram Dular Rai Resident of Village - Phulhatta,
P.S.- Bela, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 16-02-2023 Heard the parties.

The petitioner apprehends his arrest in connection with Bela P.S. Case no.08 of 2022, registered for the offence punishable under sections 363, 366(A)/34 of the Indian Penal Code and 4, 6, 8 of POCSO Act.

The allegation against the petitioner is that he is involved in the kidnapping of the minor daughter of the informant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. The specific allegation is against the co-accused



Vinod Ram to kidnap the victim girl. Petitioner is the brother of co-accused Vinod Ram, therefore he has been made accused in the present case. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the victim is a minor and she has supported the prosecution case in her statement recorded u/s 164 Cr.PC.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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