

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51213 of 2023

Arising Out of PS. Case No.-57 Year-2023 Thana- SATHI District- West Champaran

=====

Pintu Yadav @ Pintu Kumar Son Of Sadhu Yadav Resident Of Village-
Karanpatti, Ps- Sathi, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Mohammad Sufyan

: Mr. Arvind Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-08-2023 Heard learned counsel for the petitioner and learned
APP for the State assisted by learned counsel for the informant.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 366A/34 of the Indian Penal Code and Sections 8/12 of the Protection of Children from Sexual Offences Act pending in the learned court below.

3. There is allegation against the petitioner to flee away the minor daughter of the informant for the wrong purpose of marriage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the statement of the victim girl was recorded under Section 164 Cr.P.C. in which she has not supported the prosecution case. He submits that the victim knew



the petitioner from four years and talked with him and wanted to solemnized marriage with him. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Per contra, learned APP for the State along with learned counsel for the informant vehemently opposing the bail application and submits that the victim is a minor girl. Hence, petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that victim is a minor girl, I am not inclined to enlarge the petitioner on bail in connection with Sathi P.S. Case No. 57 of 2023. Accordingly, his prayer for anticipatory bail is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order considering the fact that victim has not supported the prosecution case and solemnized the marriage with the petitioner.

(Anjani Kumar Sharan, J)

ajay/-

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

