

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55968 of 2023

Arising Out of PS. Case No.-396 Year-2023 Thana- HARSIDHI District- East Champaran

Nityanand Kumar @ Vikku Kumar Son Of Kailash Singh Village- Panapur
Ps- Harsidhi Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan
For the Opposite Party/s	:	Mr. Tarun Prasad Mandal
	:	Mr. Aakash

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 363, 365 and 366(A) of the Indian Penal Code and Section 8 of the POCSO Act pending in the learned court below.

3. As per the prosecution case, petitioner is said to have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that only on suspicion the petitioner has been made accused in the present case. He submits that there is no specific overt act against the petitioner. He further submits that there is land dispute between the parties. He



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 statement of the victim was recorded under Section 164 Cr.P.C. in which she had supported the prosecution case. Hence, he does not deserve anticipatory bail.

6. Considering the nature of the offence, I am not inclined to enlarge the petitioner on bail in connection with Harsidhi P.S. Case No. 396/2023. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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