

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54935 of 2023

Arising Out of PS. Case No.-12 Year-2021 Thana- BHARGAMA District- Araria

Md. Dilkhush @ Khushdil Son of Md. Nayeem @ Gajedi R/o Vill- Faridpur
Dhaneshwari Ward No. 15, Ps- Bhargama, Dist- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-08-2023 Heard learned Counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Bhargama P.S. Case No. 12 of 2021 dated 15.01.2021, lodged under Sections 363, 366A, 215, 389, 504, 120B of the Indian Penal Code.

3. As per prosecution case, the F.I.R. has been lodged against seven named accused persons. It has been alleged in the F.I.R. that minor niece of informant went missing then the informant on search found that the petitioner kidnapped her with a view to marriage. When the informant reached at the house of co-accused who are relative of petitioner for recovery of minor niece then he ensure recovery of informant's niece but subsequently has denied by making demand of Rs.50,000/-.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has not committed any offence. He further submits that on mere suspicion, name of petitioner has been implicated in this case at the instance of his enemies. He also submits that antecedent of petitioner is clean.

5. Learned A.P.P. for the State opposes the prayer for bail and submits that it is a case of kidnapping of a minor girl with a view to marriage.

6. In the present facts and circumstances and the submissions made above, this Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Bhargama P.S. Case No. 12 of 2021 to the satisfaction of learned Judicial Magistrate-1st Class, Araria.

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

8. However, the learned Court below shall consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of four weeks.

9. The present order shall not cause any prejudice to the petitioner.

(Dr. Anshuman, J.)

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