

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55523 of 2023

Arising Out of PS. Case No.-147 Year-2022 Thana- JANTA BAZAR District- Saran

Deepak Kumar S/O Shivjee Sah R/O Village- Panditpur, P.S- Janta Bazar,
Distt.- Saran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 13-12-2023 Heard Mr. Sanjay Kumar Singh, learned counsel for

the petitioner and Mr. Akhileshwar Dayal, learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Janta Bazar P.S. Case No. 147 of 2022, F.I.R. dated 01.08.2022 for the offences punishable under Sections 363, 366 and 366A of the Indian Penal Code and Section 4/6 of the POCSO Act.

3. According to prosecution case, all the accused persons including the petitioner took away the minor daughter of the informant on the pretext of *pooja* and when she did not return, then the informant inquire about her and found that her daughter got married to the petitioner and she will not return.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R.

5. Learned counsel for the petitioner further submits that the victim was recovered and her statement was recorded under Section 164 of the Cr.P.C. in which she has categorically stated that she has performed marriage with the petitioner but it appears from the bail petition that the petitioner has not stated anything about the marriage with the victim and it has come during investigation that the victim was minor at the time of occurrence.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Janta Bazar P.S. Case No. 147 of 2022 pending in the court of 6th Additional Sessions Judge cum Special Judge POCSO Act, Saran at Chapra.

(Rajesh Kumar Verma, J)

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