

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64430 of 2022

Arising Out of PS. Case No.-115 Year-2018 Thana- CHIRAIYA District- East Champaran

DEEPAK KUMAR SON OF BINDESHWARI PASWAN R/O VILLAGE-
SAPGADHA, P.O.- MISHRAULIYA, P.S.- CHIRAIYA, DISTT.- EAST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Asif Kalim

For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 363,
366(A) of the Indian Penal Code pending in the learned court
below.

As per the FIR, two persons, namely, Bir Bahadur Rai
and Chandrakishore Rai, with the intention to marry with the
daughter of the informant, kidnapped her.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. He further submits that the victim girl and Birbahadur was in love and accordingly they had earlier eloped with each other and one again they fled away knowing the fact that victim girl is living in her *nahilal*. He further submits that petitioner have got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submitted that statement of the victim recorded under Section 164 Cr.P.C., in which she has supported the prosecution case. Hence, he does not deserve anticipatory bail.

Considering the facts and circumstances of the case and the fact that victim has supported the prosecution case, I am not inclined to enlarge the petitioner on bail in connection with Chiraiya (Shikarganj) P.S. Case No. 115/2018. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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