

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59059 of 2023

Arising Out of PS. Case No.-130 Year-2023 Thana- CHACKMEHSI District- Samastipur

Ankit Kumar S/O Manoj Ray R/O Village- Dighikala West, P.S. Hajipur
Sadar, Dist.Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Baxi S.R.P. Sinha, Sr. Advocate Mr.Shanti Bhushan Singh, Advocate
For the Opposite Party/s :		Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-10-2023 Heard learned senior counsel for the petitioner and
learned APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Chakmehsi P.S. Case No. 130 of 2023, registered for the alleged offences under Sections 341, 342, 343, 323, 363, 366(A), 376 of the Indian Penal Code and Section 4/6 of POCSO Act.

3. As per prosecution case, the minor informant was kidnapped by two bike born miscreants who kept her confined in a house. The informant was repeatedly raped. From the Aadhar Card of the petitioner, which fell accidentally while the petitioner was in drunken condition, the informant came to know about his name and other details. Further case of the



informant is that she anyhow managed to escape from the kidnappers.

4. The learned senior counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The prosecution story is not believable as the informant was kidnapped on 02.06.2023, but the FIR has been lodged on 21.06.2023. However, during that period, the parents or other family members of the informant did not lodge any case. The learned senior counsel further submits that the medical report does not corroborate the allegation of rape. The real fact is that the parents of the informant wanted to marry her with the petitioner and when the family of the petitioner refused as the informant was the minor, a false case has been lodged to pressurize the petitioner.

5. Learned APP vehemently opposes the submission made on behalf of the petitioner. The learned APP submits that there is no occasion for the informant to falsely implicate the petitioner and she has supported the prosecution case in her statements recorded under Sections 161 and 164 Cr.P.C. where specific allegation of rape has been made against the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



grave nature of accusation against the petitioner, I do not think it is a fit case for grant of anticipatory bail to the petitioner.

7. Accordingly, his prayer for anticipatory bail is rejected.

(Arun Kumar Jha, J)

V.K.Pandey/-

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