

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61875 of 2023

Arising Out of PS. Case No.-49 Year-2023 Thana- HATHAURI District- Muzaffarpur

SANJIV KUMAR @ SANJIT KUMAR SON OF KODHAI RAY @ RAJ KUMAR RAY @ RAJ KUMAR RESIDENT OF VILLAGE - SHIVRAHAN, POLICE STATION - AHIYAPUR, DISTRICT - MUZAFFARPUR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. VIJENDRA SINGH SON OF LATE BHOLA SINGH RESIDENT OF VILLAGE - KAFEN SHABAJPUR, WARD NO.1, POLICE STATION - HATHAURI, DISTRICT - MUZAFFARPUR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Adv.
For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned APP for the State.

2. Petitioner apprehends his arrest in connection with Hathauri P.S. Case No.49 of 2023, registered for the offence punishable u/s 363, 366 of the IPC and $\frac{3}{4}$ of POCSO Act.

3. The petitioner is said to have kidnapped the minor niece of the informant with an intention to marry her.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has committed no offence. He has been falsely implicated in this case due to ulterior motive. No such occurrence in the manner as alleged has ever taken place. The victim in her statement u/s 164 Cr.P.C. stated that she was



in talking terms with the petitioner. There is no specific overt act against the petitioner. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that the victim is a minor and there is specific allegation against the petitioner to kidnap her. The victim in her statement recorded u/s 164 Cr.P.C., has supported the prosecution case.

6. Having regard to the facts and circumstances of the case and considering the nature of allegation, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for grant of bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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