

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56718 of 2022

Arising Out of PS. Case No.-150 Year-2022 Thana- KOCHADHAMAN District- Kishanganj

Md. Afsar Alam @ Absar Son Of Md. Mazharul Haque Resident Of Village-
Kadamgachchi, P.S.- Kochadhaman, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, A.P.P

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

5 06-02-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case
registered for the offences punishable u/s 366 and 120B read
with 34 of the Indian Penal Code.

As per the prosecution case, the petitioner and co-
accused persons in connivance with one another abducted the
daughter of the informant.

Learned counsel for the petitioner has submitted that
the petitioner has falsely been implicated in this case. The
petitioner has no criminal antecedent as stated in para 3 of the



bail petition. It is submitted that the victim is a major girl who has solemnized her marriage of her own will.

Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioner by submitting that the victim is still traceless. Learned counsel further submitted that there is strong suspicion against the petitioner for his involvement in the crime alleged and the investigation is still pending. It is further submitted that the criminal antecedent of the petitioner is suppressed as the petitioner is accused in one more criminal case i.e. Kochadhaman P.S. Case No. 47 of 2021 which is related to u/s 302 and 120B read with 34 of the I.P.C.

Considering the aforesaid facts and circumstances as well as the seriousness of allegation, I am of the view that no case for grant of anticipatory bail is made out. The prayer for anticipatory bail of the petitioners is rejected with a direction to the petitioners to surrender before the Court below within six weeks from today and pray for regular bail which will be considered by the learned court below in accordance with law without being prejudice by this order.

(Chandra Prakash Singh, J)

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