

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61031 of 2023

Arising Out of PS. Case No.-164 Year-2022 Thana- SAKRA District- Muzaffarpur

Subodh Paswan S/O Late Darogi Paswan Resident Of Village- Amrakh, P.S-
Maniyari, District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nitu Kumari, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 363, 365 / 34 of the Indian Penal Code and Section 3 / 4 of the POCSO Act.

3. Informant alleged that petitioner along with other co-accused is said to have kidnapped his minor daughter with mala fide intentions. Victim in her statement under Section 164 of Cr.P.C. stated that petitioner had raped her and medical examination also supported the prosecution case.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against



the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the nature of allegation levelled against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. The prayer is accordingly rejected.

7. However, if the petitioner surrenders before the Court below and pray for regular bail, the same shall be considered and disposed of without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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