

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58826 of 2022

Arising Out of PS. Case No.-50 Year-2022 Thana- BAUSI District- Araria

MD. EJAJ @ BABLOO S/o Late Badruddin Resident of village- Ekra, Ward
No.- 12, P.S.- Bounsi, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh, Adv.
For the Opposite Party/s : Mr.H.A.Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in a case registered for
the offence punishable u/s 363, 366-A of the IPC.

Allegedly, petitioner took away the daughter of informant
on the allurement of marriage.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to enmity. No such
occurrence, in the manner as alleged, has ever taken place. It is
submitted that there is contradiction in the statement of the
victim recorded u/s 161 Cr.P.C. and 164 Cr.P.C. and the victim
was not medically examined by the Medical Officer. Petitioner
has no criminal antecedent.



Learned APP for the State opposed the prayer for anticipatory bail by submitting that the victim has supported the prosecution case in her statement u/s 164 Cr.P.C.

Considering the statement of the victim, I am not inclined to grant anticipatory bail to the petitioner. The prayer for grant of bail on his behalf is hereby rejected.

However, petitioner is at liberty to surrender before the learned court below and seek regular bail and the learned court below would pass order, preferably, on the same day, without being prejudiced of the rejection of his bail prayer.

(Anjani Kumar Sharan, J)

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