

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62729 of 2023

Arising Out of PS. Case No.-47 Year-2021 Thana- ISHUPUR BARAHAT District- Bhagalpur

ANANT KUMAR Son of Sri Pappu Ray R/o vill - Kirtaniya Chowk, P.S. -
Ishipur (Barahat), Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-12-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with POCSO Case no.119/2021 (arising out of Ishipur (Barahat) P.S. Case no.47 of 2021) registered under sections 363, 366A, 504 and 506 of the Indian Penal Code and section 8 of the POCSO Act.

3. As per the prosecution case, the informant states that his 13 year old minor daughter was taken away by Rakesh Kumar as also his accomplices which included the petitioner herein. It is further stated that Rakesh Kumar used to work in the tyre shop of the informant and the informant had removed him after having caught him stealing money.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. From the



contents of the F.I.R. itself, it would transpire that the allegation is mainly against Rakesh Kumar and the petitioner and others have been falsely roped in on the allegation of being in association with the said Rakesh Kumar. The petitioner does not know the whereabouts of the said Rakesh Kumar or the daughter of the informant. The witnesses have not supported the prosecution case in course of investigation. The petitioner is in custody since 31.1.2023 and has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the petitioner being named therein, the contents of the order of the learned trial Court from which it transpires that the victim-daughter of the informant still traceless, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Liberty is granted to the petitioner to renew his prayer for bail after framing of charge.

(Partha Sarthy, J)

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