

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65571 of 2022

Arising Out of PS. Case No.-16 Year-2021 Thana- MAJHAULIA District- West Champaran

Chuman Kumar @ Sajan Kumar, S/O Ramsharan Mukhiya, R/O Village-
Chandrayanvan Tola Ninvaliya, P.S- Majhauria, District- West Champaran,
Bettiah, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

In the present case, the petitioner is apprehending his arrest in connection with Majhauria P.S. Case No. 16 of 2021 registered for the alleged offences under Sections 363, 366(A)/34 of the Indian Penal Code and Sections 12 of the POCSO Act.

As per prosecution case, allegation against the petitioner is that he along with other two co-accused persons kidnapped the minor daughter of the informant with wrong intention.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case as the victim eloped with co-accused Bikau Kumar. There is general allegation of kidnapping against three accused



persons including this petitioner but nothing specific has been attributed against the petitioner. The victim girl has been recovered but she did not support the prosecution case in her statement recorded under Section 164 of Cr.P.C. The petitioner has no concern with co-accused Bikau Kumar.

Learned APP opposes the prayer for anticipatory bail submitting that though the petitioner claims that the statement of the victim girl has been recorded and she has not supported the prosecution case, but the petitioner has not brought on record the copy of the said statement. Moreover, the allegations are quite serious against the petitioner and offence under Section 366(A) of IPC and Sections 8 and 12 of the POCSO Act have been mentioned in the FIR for involvement of the petitioner along with other co-accused persons.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the serious nature of allegation against the petitioner, I do not think it is a fit case for grant of anticipatory bail.

Hence the prayer for anticipatory bail is rejected.

(Arun Kumar Jha, J)

balmukund/-

U		T	
---	--	---	--

