

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72190 of 2023

Arising Out of PS. Case No.-351 Year-2023 Thana- BARHARA District- Bhojpur

Niranjan Kumar Son Of Suresh Ram Resident Of Village- Karisath, Ps-
Udwant Nagar, District -BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh

For the Opposite Party/s : Mr. Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Barahara
P.S. Case No. 351 of 2023 registered for the offences
punishable under Sections 363, 366(A) of the Indian Penal
Code pending in the Court of learned Additional Sessions
Judge, VI-cum-Special Judge, POCSO, Bhojpur.

3. As per the prosecution case, informant alleged
that, on receiving a phone call, his daughter went out from her
house. It is further alleged that the petitioner along with other
co-accused has kidnapped the daughter of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The allegation levelled against the petitioner is not
specific rather general and omnibus in nature. He submits that



the petitioner is not named in the F.I.R., the name of the petitioner has been transpired in this case only on the basis of suspicion. He further submits that the Mobile number does not belong to the petitioner. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that the victim in her statement under Section 164 of the Cr.P.C., has supported the prosecution case and the victim is a minor. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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