

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70592 of 2023

Arising Out of PS. Case No.-262 Year-2021 Thana- BAHADURGANJ District- Kishanganj

Abdul Razaque @ Razaque Son Of Zianuddin R/O Palasmani, P.S. -
Bahadurganj, Distt. - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 363/366A/34 of the Indian Penal Code and Section 4/6 of the POCSO Act.

3. Petitioner is said to have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent, not named in the FIR and has been falsely implicated in this case. He submits that the victim under Section 164 of Cr.P.C. stated that main accused Shahnawaz and others brought her in the house of the petitioner and except this, no word has been uttered against this petitioner. He submits that there is major contradiction between the statement given by the



victim before the police and the statement under Section 164 of the Cr.P.C. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

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

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Bahadurganj P.S. Case No. 262 of 2021.

7. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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