

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79552 of 2023

Arising Out of PS. Case No.-438 Year-2022 Thana- JOKIHAT District- Araria

Emaz @ Aema Zuddin Son Of Md. Azim Resident Of Village- Karhara Ward
No 11, Ps- Jokihat (MAHALGAON Op), Distt- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Jha
For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-12-2023 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, 366(A) of the Indian Penal Code.

3. Petitioner is said to have kidnapped the minor sister 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 petitioner has not committed the occurrence of kidnapping rather the case is elopement of the victim girl out of her own will and wish with the petitioner. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer



for bail submits that the victim has supported the prosecution case in her statement recorded under Section 164 of the Cr.P.C.

6. Considering the facts and circumstances of the case and the statement of the victim, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Jokihat (Mahalgaon O.P.) P.S. Case No. 438 of 2022.

(Anjani Kumar Sharan, J)

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