

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72996 of 2022

Arising Out of PS. Case No.-93 Year-2022 Thana- PAUTHU District- Aurangabad

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Shailesh Kumar Son Of Surendra Bind R/O Village- Karma Pandey, P.S.-
Pauthu, District- Aurangabad (BIHAR)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aman Vishal, Advocate

For the Opposite Party/s : Mr.Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-04-2023 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with

Pauthu P.S. Case No. 93 of 2022 registered for the offences

punishable under Sections 366A and 34 of the Indian Penal

Code.

As per the prosecution case, while the informant

returned home, his daughter was not at home. On search the

informant came to know that the petitioner enticed away his

daughter.

Learned counsel for the petitioner submitted that

petitioner has falsely been implicated in this case. It is further

submitted that no specific overt act has been attributed against

the petitioner. There is a delay of nine days of filing of the



FIR without explaining any reasonable cause of delay. It is further submitted that the victim stated in her statement that petitioner developed physical relation with her recorded under Section 164 of the Cr.P.C . It is further submitted that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the direct allegation against the petitioner, I am not inclined to grant privilege of anticipatory bail to the petitioner and accordingly, his prayer for anticipatory bail stands rejected.

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

(Anjani Kumar Sharan, J)

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