

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73186 of 2022

Arising Out of PS. Case No.-580 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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Rangeela Kumar @ Rangeela Sahani Son Of Roop Lal Sahani R/V-
Lakhawara Purwari Tola, P.S.- Lakhawara Dist- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Advocate
For the Opposite Party/s : Mr. Nirmala 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
Muffasil (Lakhaura) P.S. Case No. 580 of 2022 registered for
the offences punishable under Sections 363, 366(A) /34 of the
Indian Penal Code section 8 of the POCSO Act.

As per the prosecution case, all the FIR named
accused person including the petitioner kidnapped the
informant's minor daughter for the purpose of marriage.

Learned counsel for the petitioner submitted that
petitioner has falsely been implicated in this case. It is further
submitted that occurrence took place on 12.06.2022 but the FIR
has been lodged on 07.08.2022 after delay of more than about



two months without explaining any reasonable cause of delay. It is further submitted that there is no specific overt act has been attributed against the petitioner. 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 and submitted that the statement of victim recorded under section 164 of the Cr.P.C in which victim supported the prosecution case and took the name of petitioner.

Considering the aforesaid facts and circumstance of the case, 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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