

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72537 of 2022

Arising Out of PS. Case No.-138 Year-2022 Thana- SARAI RANJAN District- Samastipur

Vimal Jha @ Vimal Kumar Jha Son Of Mahendra Jha Resident Of Village-
Ward No. 4, Narghoghi, P.S.- Sarairanjan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Binod Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-04-2023 Heard Mr. Pramod Kumar Singh, learned counsel for
the petitioner and learned APP for the State.

Learned counsel for the petitioner seeks permission to
make necessary correction in Paragraph 7 of the petition, during
the course of the day.

Permission is accorded.

Petitioner is apprehending his arrest in connection
with Sarairanjan P.S. Case No.138 of 2022, for the offences
registered under Sections 363, 366(A), 341, 323, 509, 501 and
506 of the Indian Penal Code, under Section 8 of the Protection
of Children from Sexual Offences Act, 2012, and under Section
67 of the I.T. Act.

Submission has been made on behalf of the petitioner
that the petitioner is neither named in the FIR nor there is
allegation of any overt act against him, rather the name of the
petitioner has surfaced in the statement of the victim recorded
under Section 164 of Cr.P.C. However, even in the statement of



the victim, no allegation has been leveled that he is anyway misbehaved with the victim girl. It is further submitted that the petitioner is having fair antecedent, apart from the fact that delay has occurred in lodging of the FIR.

On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner is the person in whose house the victim was kept confined.

Regard being had to the submission made on behalf of the parties and considering the allegation of harbouring the main accused and providing accommodation to him to facilitate the crime in question, this Court is not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly his prayer stands rejected.

However, the petitioner is at liberty to surrender and seeks regular bail within a period of four weeks and in case of his surrender, the learned court below will consider his case without being prejudiced by the order of this Court.

Accordingly, the present anticipatory bail application stands dismissed with the aforesaid liberty.

(Harish Kumar, J)

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