

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73370 of 2022

Arising Out of PS. Case No.-257 Year-2022 Thana- MIRGANJ District- Gopalganj

RAVI PRASAD GUPTA Son of Munna Prasad Resident of Mohalla- East
Mohalla Mirganj, Ward No. 10, P.S- Mirganj Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan

For the Opposite Party/s : Mr. Surendra Kumar
Mr. Lokesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-02-2023 Heard the parties.

The petitioner apprehend his arrest in connection with Mirganj P.S. case no.257 of 2022, registered for the offence punishable under sections 363 and 366 'A' of the Indian Penal Code.

Allegedly, co-accused Shashi Kumar Gupta took away the minor daughter of the informant. It is alleged that when the informant went to the house of co-accused to enquire about the incident, the family members including the petitioner abused him. The allegation against the petitioner is that he has helped co-accused in kidnapping the daughter of the informant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He



has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. The specific allegation is against the co-accused Shashi Kumar Gupta. He further submits that on the alleged date of occurrence, the petitioner went to Secunderabad via Mathura Jn. by rail where he has been working in a construction company and on alleged day he was on duty as per his duty register. Petitioner has no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail by submitting that the victim has supported the prosecution case in her statement recorded u/s 164 Cr.PC and stated that the petitioner was also present on the alleged date of occurrence.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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