

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 77319 of 2023

Arising Out of PS. Case No.-832 Year-2021 Thana- FORBESGANJ District- Araria

Md. Ekhlakh @ Eklaal @ Md. Aklak S/O Md Mahmood Village- Chamaila,
Dolbajja Ps. Forbesganj, Dist. Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Forbesganj P.S. Case No. 832 of 2021 registered for the offences punishable under Sections 363, 366(A), 34 and 120(B) of the Indian Penal Code and Section 8/11 of the POCSO Act later on added under Section 3(1)(r) of the SC/ST Act, pending in the Court of learned Additional Sessions Judge-VI-cum-Spl. POCSO Court, Araria.

3. The informant alleged that the petitioner along with other co-accused persons forcibly kidnapped her daughter with malafide intention.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not



specific rather general and omnibus in nature. He submits that the victim with with the petitioner with her own sweet will. He submits that the victim is residing with the petitioner, a copy of the verified petition is enclosed as Annexure-P/2 to this application. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the petitioner was declared absconder and charge-sheet has been submitted by the police. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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