

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77734 of 2023

Arising Out of PS. Case No.-303 Year-2022 Thana- ALAMNAGAR District- Madhepura

ASHISH MANDAL @ ASHISH KUMAR @ ASHIK MANDAL SON OF
UMESH MANDAL RESIDENT OF VILLAGE- WARD NO. 13, CHAK
SANOTI, BARGAON, P.S.- ALAMNAGAR (RATWARA O.P.), DISTRICT-
MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar
For the Opposite Party/s: Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-12-2023 Heard the parties.

2. The petitioner apprehends his arrest in connection with Alamnagar (Ratwara O.P.) P.S. Case No.303 of 2022, registered for the offence punishable under Sections 363, 366(A)/34 of the Indian Penal Code and Section 08 of POCSO Act.

3. The allegation against the petitioner is that he kidnapped the daughter of the informant for the purpose of marriage.

4. 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. He submits that the victim girl has not supported the prosecution case in her state-



ment recorded u/s 164 of Cr.PC. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail by submitting that the victim girl is a minor.

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

7. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law, considering that the victim has not supported the prosecution case.

(Anjani Kumar Sharan, J)

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