

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71814 of 2022

Arising Out of PS. Case No.-212 Year-2022 Thana- UDAKISHUNGANJ District-
Madhepura

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CHHOTU KUMAR CHAUDHARY S/o Bilakshan Chaudhary R/v- Khara,
Ward No. 04, P.S.- Udakishunganj, District- Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 73606 of 2022

Arising Out of PS. Case No.-212 Year-2022 Thana- UDAKISHUNGANJ District-
Madhepura

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BRAJESH KUMAR RAM @ BRAJESH KUMAR S/O KUMUD RAM
Resident of village- Khara, P.S.- Udakishunganj, District- Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 71814 of 2022)

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Mr.Ram Sumiran Rai

(In CRIMINAL MISCELLANEOUS No. 73606 of 2022)

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-02-2023 Heard the parties.

As both these bail applications have cropped up from the
same police station case number, hence, with consent of parties,
they are being heard together and disposed of by this common
order.

The petitioner apprehend their arrest in connection with



Udakishunganj P.S. case no.212 of 2022, registered for the offence punishable under Sections 366A, 34 of the Indian Penal Code and section 8 of POCSO Act.

The allegation against the petitioners is that the petitioners kidnapped the minor daughter of the informant with an intention of marriage. When the informant went to the house of petitioner Chhotu Kumar then all the accused persons abused and assaulted him.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to previous enmity. 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. He submits that the petitioners have been made accused in the present case merely on the basis of suspicion. He further submits that there is a dispute between the informant and petitioner's father for transaction of money as the informant has taken amount of Rs.,50,000/- from the petitioner's father due to this reason he implicated the petitioners in this false case. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for



anticipatory bail and submits that the victim has supported the prosecution case in her statement recorded u/s 164 Cr.PC.

Having regard to the facts and circumstances of the case, as the victim has supported the prosecution case, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

Accordingly, these applications are dismissed.

(Anjani Kumar Sharan, J)

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