

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78045 of 2023

Arising Out of PS. Case No.-575 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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SHAMBHU RAY @ SHAMBHU ROY Son of Kamal Roy R/o vill -
Naurangia, ward no. 5, P.S. - Lakhaura, Distt. - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ram Adya Singh, Adv.
For the Opposite Party/s	:	Mr.Anish Chandra, APP
For the informant	:	Mr.Dhurendra Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2023 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

2. Petitioner is apprehending his arrest in connection with
Muffasil (Lakhaura) P.S. Case No.575 of 2023, registered for
the offence punishable u/s 363, 366(A)/34 of the IPC and 8 of
POCSO Act.

3. Allegedly, the petitioner along with other co-accused
persons are alleged to have kidnapped the minor 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 has not committed any offence.
He has been falsely implicated in this case due to ulterior
motive. No such occurrence in the manner as alleged, has ever



taken place. There is no specific overt act against the petitioner.

Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that the statement of the victim was recorded u/s 164 Cr.P.C., in which, she has supported the prosecution case.

6. Considering the aforesaid facts and circumstances, since the victim has supported the prosecution case, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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