

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78954 of 2023

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

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1. Ramji Rai Son Of Harkhit Ray Resident Of Village - Naurangiya, P.S. -
Lakhaura, District - East Champaran
 2. Vinod Sah @ Vinod Prasad Son Of Nagendra Sah Resident Of Village -
Naurangiya, P.S. - Lakhaura, District - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar
For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 363, 366(A)/34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. Petitioners are said to have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is no specific overt act against the petitioners and the allegation is general and omnibus in nature. He submits that occurrence took place on 11.08.2023



but the FIR has been lodged on 13.08.2023 after delay of 2 days without explaining any reasonable cause of delay. He further submits that petitioners have criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail submits that the victim in her statement recorded under Section 164 of the Cr.P.C. has supported the prosecution case. He further submits that the victim girl is minor.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with Muffasil P.S. Case No. 575 of 2023.

(Anjani Kumar Sharan, J)

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