

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.900 of 2023

Arising Out of PS. Case No.-38 Year-2017 Thana- EKCHARI District- Bhagalpur

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AJIT KUMAR @ AJEET KUMAR SON OF SRI SAHDEO PANDAL @
SAHDEO PRASAD MANDAL @ SAHDEO PRASAD SINGH R/O
VILLAGE- BANIYA, P.S.- RANGRA CHOWK, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek

Mr. Rang Nath Pandey

For the Opposite Party/s : Mr. Aditya Narayan Singh.1

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-05-2023 Heard the parties.

The petitioner apprehend his arrest in connection with Ekchari P.S. Case No.38 of 2017, registered for the offence punishable under Sections 366-A/34 of the Indian Penal Code and section 4 of POCSO Act.

The allegation against the petitioner is that he kidnapped the minor daughter of the informant with a view to marry her.

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. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the daughter of the



informant and the petitioner have solemnized marriage and they are living together as a wife and husband. Petitioner has no criminal antecedent.

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

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

This application is accordingly, dismissed.

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 the fact that the petitioner and victim have solemnized marriage.

(Anjani Kumar Sharan, J)

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