

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78876 of 2023

Arising Out of PS. Case No.-55 Year-2023 Thana- LAURIA District- West Champaran

RAJA ALAM @ RAJALAM MIYAN @ RAJLAM MIYAN SON OF
MUSTAFA MIYA R/O VILLAGE- SISAI, P.O.- DHOBANI, P.S.-
LAURIYA, DIST.- WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s :	Mrs.Usha Kumari 1, APP.
	Ms. Bharti Rai, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 366A, 34 of the Indian Penal Code, Section 8 of POCSO Act and Section 3(2)(va)(s)(r) of SC/ST (POA) Act.

3. The allegation against the petitioner is that he along with other co-accused persons kidnapped the minor daughter of the informant with an intention to marry with her.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no



offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted fact. The statement of the victim has been recorded under Section 161 Cr.P.C. in which she has not supported the prosecution case. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail and submitted that there is specific allegation against the petitioner to kidnap the informant's minor daughter. Hence, he does not deserve benefit of anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as considering the statement of the victim recorded under Section 161 Cr.P.C., the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with



Lauriya P.S. Case No. 55 of 2023, subject to the condition as
laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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