

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81105 of 2023**

Arising Out of PS. Case No.-49 Year-2023 Thana- MEDNI CHAUKI District- Lakhisarai

GOVIND TANTI @ GOVIND KUMAR S/O RAJENDRA TANTI R/O
ABGIL RAMPUR HUSSAINA, P.S. - MEDNICHOWKI, DISTRICT-
LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Rajesh Kumar, Adv.
For the Opposite Party/s :	Mr.Shailendra Kumar, APP. Mr. Rajnish Chandra, Adv.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 20-12-2023 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in Mednichowki P.S. Case No. 49 of 2023 registered for the offences punishable under Sections 363/365 of the Indian Penal Code.

3. Allegedly, petitioner is said to have kidnapped the minor daughter of the informant.

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 facts. It is further



submitted that the statement of the victim under Section 164 Cr.P.C. has been recorded in which she has not supported the prosecution case and stated that fed up with torture of her parents, she herself went to Kerala. He further submits that the victim and petitioner accused Govind Tanti have solemnized marriage at Ashok Dham Temple, Lakhisarai with their own will. There is inordinate and abnormal delay of about two months in lodging the FIR without assigning any plausible and convincing reason for the said delay, which creates serious doubt about 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 submits that the victim is minor and she was allured by this petitioner, hence he does not deserve the privilege of anticipatory bail.

6. Considering the facts and circumstances of the case as well as the age of the victim, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks



regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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