

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80979 of 2023

Arising Out of PS. Case No.-63 Year-2023 Thana- LAUKARIA District- West Champaran

VIKASH KUMAR SAHANI @ VIKAS KUMAR SON OF MANGAL
SAHANI R/O VILLAGE- NITISH NAGAR WARD NO.-04, P.S.-
LAUKARIYA, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Adv.

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-12-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. Petitioner is apprehending his arrest in connection with
Laukariya P.S. Case No.63 of 2023, registered for the offence
punishable u/s 323, 376, 385, 504, 506/34 of the IPC and
section 4 of the POCSO Act.

3. Petitioner is said to have forcibly established illicit
physical relationship with the minor daughter of the informant.

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. It is submitted that the victim and the petitioner



have solemnized marriage and they are living together.

Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that there is specific allegation against the petitioner and the victim is a minor, whose consent is not reasoned.

6. Considering the aforesaid facts and circumstances of the case and the nature of allegation, 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.

8. However, petitioner is at liberty to surrender before the learned Court below within a period of six weeks and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law, considering that the petitioner has solemnized marriage with the victim.

(Anjani Kumar Sharan, J)

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