

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5840 of 2024

Arising Out of PS. Case No.-79 Year-2023 Thana- PIPRA District- Supaul

Laxman Tanti @ Laxman Das @ Laxan Tanti @ Laxan Das Son of Late Prem
Tanti R/o vill - Tetrahi, ward no. 3, Tetrahi Kothi, P.s. - Pipra, Distt. - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar
For the Opposite Party/s : Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned A.P.P. for
the State

2. The petitioner apprehends his arrest in Pipra P.S. Case No. 79 of 2023 registered for the offences punishable under Sections 363 & 366A/34 of the Indian Penal Code pending in the Court of learned A.D.J.-VI-cum-Special Judge, POSCO, Supaul.

3. The petitioner in association of other co-accused is said to have kidnapped the minor son and daughter of the informant.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. It is further submitted that the victim was taken for medical examination without recording the statement under Section 164 Cr.P.C. which creates suspicion about the prosecution case. The allegation levelled against the



petitioner is not specific rather general and omnibus in nature.
The petitioner has no criminal antecedent as mentioned in para-
3 of this application.

5. Learned APP for the State vehemently opposing the bail
petition submitted that the victim in her statement recorded
under Section 164 Cr.P.C. has supported the prosecution case.
Hence, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, I am not
inclined to enlarge the petitioner on anticipatory bail. The prayer
for anticipatory bail of the petitioner is hereby rejected.
However, if the petitioner surrenders before the learned Court
below within six weeks from today and seek regular bail, the
learned Court below would pass order in accordance with law
without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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