

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8808 of 2024

Arising Out of PS. Case No.-102 Year-2018 Thana- DEWARIA District- Muzaffarpur

Alok Kumar @ Vicky Kumar S/o Binod Rai R/o Vill. - Muhabbatpur, P.S. -
Devariya, Dist. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Chandra Jha, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 21-03-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Devariya P.S. Case No. 102 of 2018 for the offence registered under section 377 of the Indian Penal Code and section 3/4 of POCSO Act lodged on 15.07.2018 by the informant, Sanjay Kumar Yadav.

3. As per the prosecution story, the informant alleged that his son was taken away by this petitioner and later he heard the alarm and upon rushing to the place, his son disclosed about unnatural act being done by this petitioner. He was being taken to the Police Station but managed to escape. Accordingly, the FIR.

4. Learned Counsel for the petitioner submits that the



police investigated the matter and on 15.11.2019, final form was submitted showing the case to be untrue. However, later the Court concerned took cognizance which forced him to file anticipatory bail application.

5. Learned APP for the State, on the other hand, points out that the incident is of the year 2018, the final form submitted in the year 2019, cognizance taken thereafter and the petitioner after much delay has approached this Court.

6. On the sole ground that the petitioner approached this Court after much delay, it is not a fit case for extending anticipatory bail which is accordingly rejected.

7. However, if the petitioner surrenders within a period of four weeks from today, the Court concerned shall take up the matter and dispose of preferably on the same day.

(Rajiv Roy, J)

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