

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21014 of 2024

Arising Out of PS. Case No.-641 Year-2023 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

MD. AKMAL @ RAHIL S/o Md. Ainul Haque Resident of Village-Mirkaha,
P.O. and P.S.-Mansahi, District-Katihar, Bihar-854103

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 25-09-2024 1. 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 366 and 34
of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. The informant alleges that her daughter aged about
19 years was doing summer internship at Muzaffarpur where
she was staying also and on 01.07.2023 at 10:00 a.m. she had
gone to collect her NBPDCCL training certificate but went
missing, thus, alleges that petitioner was instrumental in missing
of her daughter thereafter it is alleged that informant informed
her husband about the occurrence, hence, her husband went to



the house of the petitioner to inquire when he was abused and assaulted by the brother (Md. Dulal) and father (Md. Julum) of the petitioner.

5. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that petitioner and the victim were in love and the victim is a major and she on her own volition had accompanied the petitioner.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that from perusal of the order impugned, it would manifest that the statement of the victim was recorded under Section 164 Cr.P.C. wherein she has stated that petitioner had private photos and videos of her and on threat of making the video viral took her. Learned A.P.P. thus submits that no doubt from perusal of the statement of the victim recorded under Section 164 Cr.P.C. as recorded in the order impugned, it manifests that the petitioner and the victim were known to each other but then it appears that the victim has not supported the case of the prosecution rather has stated that petitioner taking advantage of the fact that he was having some photographs and videos of her based on which he threatened her to accompany him which amply demonstrates that petitioner



taking advantage of the faith which the victim has reposed in him misutilized the same.

7. Considering the submissions made by the learned A.P.P., the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Sadar P.S. Case No. 641 of 2023 pending in the Court of learned Chief Judicial Magistrate, Muzaffarpur, Bihar/successor Court.

8. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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