

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12560 of 2024

Arising Out of PS. Case No.-430 Year-2023 Thana- BAISI District- Purnia

Md. Shakil Son of Md. Khalil R/o village- Laharnia, Post- Laharnia, Ward
No. 4, P.S.- Triveniganj, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-07-2024 1. Heard learned counsel for the petitioner and Mr.
Chandra Bhushan Prasad learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 363, 366(A)
and 120(B) of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and has been falsely
implicated in the instant case based on suspicion. It is further
submitted that from perusal of the allegation as alleged in the FIR,
it would manifest that informant, who is father of the victim,
alleges that his minor daughter is missing along with the mobile
phone of her mother. Further, based on suspicion, he alleges that
this petitioner might be involved in the occurrence.

4. Learned counsel for the petitioner submits that the
entire allegation hinges around suspicion and the victim has been



recovered and her statement under Section 164 Cr.P.C. was recorded wherein she has not named the petitioner.

5. Mr. Chandra Bhushan Prasad learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that no doubt, the statement of the victim under Section 164 Cr.P.C. was recorded wherein she has not taken the name of any person but then she was recovered from the house of the maternal grandfather of the petitioner which amply demonstrates that she was coerced into submission not to take the name of the accused persons. It is further submitted that it does not appear probable that when victim was recovered from the house of the maternal grandfather of the petitioner then how come she was not knowing the petitioner.

6. 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 Baisi P.S. Case No. 430 of 2023 pending in the Court of learned Chief Judicial Magistrate, Purnea/Successor Court.

7. Hence, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

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