

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18066 of 2024

Arising Out of PS. Case No.-109 Year-2023 Thana- BUDHUCHAK District- Bhagalpur

CHIKU KUMAR YADAV @ CHIKU YADAV Son of Jay Kant Yadav
Resident of Village-Nayanagar, Rani Diyara, P.S.-Budhuchak, District-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mrs. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-03-2024 Heard Mr. Ranjan Kumar Jha, learned counsel for
the petitioner and Mrs. Madhuri Lata, learned APP for the State.

2. The petitioner is apprehending his arrest connection with Budhuchak P.S. Case No. 109 of 2023, F.I.R. dated 31.10.2023 registered for the offences punishable under Sections 363, 365/34 of the Indian Penal Code and Sections 4 of the POCSO Act.

3. Allegation against the petitioner is that he along with other co-accused kidnapped the minor daughter of the informant aged about 13 years on the point of weapon and confined her in a room at unknown place for many days and the accused petitioner also used to supply her intoxicant material and used to assault her and also he also done something while



she was in unconsciousness.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that from perusal of the F.I.R. it appears that the date of occurrence as alleged in the F.I.R. is 09.02.2023 but the present F.I.R. was instituted on 31.10.2023 after the recovery of the victim.

5. Learned counsel for the State, on the other hand, vehemently opposed the prayer for anticipatory bail of the petitioner and submits that from perusal of the F.I.R. it appears that there is direct and specific allegation against the petitioner and the victim was recovered and her statement under Section 164 of the Cr. P.C. was recorded in which she has categorically stated that the petitioner has abducted her.

6. Considering the facts and circumstances of the case and the gravity of the nature of allegation, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Budhuchak P.S. Case No. 109 of 2023 pending in the Court of learned ADJ 7th-cum-Special Judge, POCSO



Court, Bhagalpur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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