

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18918 of 2024

Arising Out of PS. Case No.-4 Year-2023 Thana- BANMANKHI District- Purnia

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Dilkhush Kumar S/o Shivanand Yadav Resident of Village-Mohania Parwatta,
Ward No-13, P.S.-Banmankhi, District-Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. ANITA DEVI Wife of Upendra Yadav Resident of Mohania Parwatta Tola,
Ward No. 13, P.S.-Banmakhi, District-Purnea.

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-04-2024 Heard Mr. Vinay Ranjan, learned counsel for the

petitioner and Mr. Ram Priya Sharan Singh, learned APP for the

State.

2. The petitioner is apprehending his arrest
connection with Banmankhi P.S. Case No. 04 of 2023, F.I.R. dated
05.01.2023 registered for the offences punishable under Sections
376, 323, 504, 34 of the Indian Penal Code read with Sections 4 &
8 of the Protection of Children from Sexual Offences Act, 2012.

3. Allegation against the petitioner is that he has
taken away the victim to Jaipur with the promise of marriage
with her in Jaipur temple.

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. and in fact the victim was in love with one Nilesh Kumar and the victim has performed the marriage with Nilesh Kumar and the petitioner has no role at all with the present occurrence.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail and submits that it has come during investigation that the petitioner has abducted the victim and handed over to co-accused Nilesh Kumar and the statement of victim was recorded under Sections 161 and 164 of the Cr. P.C. in which she has categorically stated that the petitioner has abducted her and handed over to co-accused person.

6. Considering the aforesaid facts that there is direct allegation against the petitioner, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Banmankhi P.S. Case No. 04 of 2023 pending in the Court of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO, Purnea.

7. Prayer is refused.

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(Rajesh Kumar Verma, J)

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