

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19643 of 2024

Arising Out of PS. Case No.-111 Year-2023 Thana- KARANDAY District- Sheikhpura

Vijay Kumar @ Vijay Saw S/o Sunil Saw R/o VILLAGE - GHARI, P.S. -
KARANDEY, DISTRICT - SHEIKHPURA

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-04-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Karandey P.S. Case No. 111 of 2023 registered for the
offences punishable under Section 365 of the Indian Penal Code
read with Section 8 of the POCSO Act.

3. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the instant case by the
informant. It is also submitted that the FIR has been instituted
after a delay of seven days. It is next submitted that petitioner is
not named in the FIR and during the course of investigation,
nothing has come which could connect the petitioner with the
offence directly.

4. Learned A.P.P. for the State vehemently opposes



the prayer for anticipatory bail of the petitioner and submits that allegation is of kidnapping of a minor girl. It is further submitted that from the order impugned itself, it would manifest that the same records that at Para-35 of the case diary, the statement of the victim was recorded under Section 161 Cr.P.C. wherein she has stated that she was kidnapped by this petitioner and Vikash. It is also submitted that in her statement recorded under Section 164 Cr.P.C, she has alleged against this petitioner as stands recorded in the order impugned. It is further submitted that investigation in the case is still going on, as such, privilege of anticipatory bail may not be granted to the petitioner as allegation is of kidnapping a minor girl aged about thirteen and a half years.

5. Considering the submissions made by the learned APP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

6. Accordingly, the present anticipatory bail stands rejected.

(Satyavrat Verma, J)

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