

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43416 of 2024

Arising Out of PS. Case No.-178 Year-2023 Thana- PUNAURA District- Sitamarhi

Dinanath Sada @ Deenanath Sada, Son of Naresh Sada, Resident of Village -
Raghopur Bakhri, Police Station - Punaura, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kiran Devi Wife of Umesh Ram Resident of Village - Raghopur Bakhri,
P.S.- Punaura, District - Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Smiti Bharti, Advocate
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 13-11-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Punaura P.S. Case No. 178/2023 registered on 15.07.2023 for the offenses punishable under Section 366A/34 of the Indian Penal Code and Sections 8 and 10 of the the Protection of Children From Sexual Offences Act, 2012.

3. As per the prosecution, the FIR has been lodged against nine accused persons including the present petitioner with an allegation of kidnapping the the daughter of the informant.

4. Learned counsel for the petitioner submits that



there is no consistent statement in the F.I.R. and subsequently in 164 Cr. P.C. statement there is sharp contradiction available. The antecedent of the petitioner is clean and on earlier occasion vide order dated 20.07.2024, the petitioner was granted interim protection.

5. Learned APP for the State vehemently opposes the prayer for bail and submits that upon perusal of the statement recorded under Section 164 of the Cr. P.C., it transpires that that the petitioner and others have used force upon the informant's daughter.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Punaura P.S. Case No. 178 of 2023, pending before the Additional Sessions Judge VI-cum-Special Judge (POCSO Act), Sitamarhi is hereby rejected. The interim protection granted to the petitioner vide order dated 20.07.2024 stands vacated.

7. However, it is directed to the petitioner to surrender before the Trial Court within a period of four weeks from today. In case, the petitioner, surrenders within four weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudiced that the



anticipatory bail of the petitioner has been rejected by this
Court.

(Dr. Anshuman, J)

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