

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46538 of 2024

Arising Out of PS. Case No.-58 Year-2022 Thana- WAJIRGANJ District- Gaya

Pawan Kumar Son of Shailesh Singh R/O Vill.- Badauan, P.S.- Fatehpur,
Dist.- Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Munnu Kumar @ Chhotu Singh Son of Arun Kumar R/O Vill.- Bajaul, At
Present K.P. Colony High School, P.S.- Wazirganj, Dist.- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Sinha, Adv. Ms.Amisha Prakash, Adv. Mr.Andlib Imrose, Adv.
For the Opposite Party/s :		Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with
Wazirganj P.S. Case No.58/2022, registered for the offence
punishable u/s 366A/34 of the IPC and later on section 8 of the
POCSO Act was added.

3. Allegedly, the petitioner along with other F.I.R. named
accused persons are said to have kidnapped the minor daughter
of the informant.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence.
He has been falsely implicated in this case due to ulterior



motive. No such occurrence in the manner as alleged has ever taken place. The victim and the petitioner were in love affair and they jointly eloped from the house. The victim in her statement recorded u/s 164 Cr.P.C. has not supported the prosecution case. Petitioner has one criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that there is specific allegation against the petitioner.

6. Considering the aforesaid facts and circumstances and that the offence is under POCSO Act, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

8. However, petitioner is at liberty to surrender before the learned Court below within a period of six weeks and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law, considering that the victim has not supported the prosecution case.

(Anjani Kumar Sharan, J)

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