

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46789 of 2024

Arising Out of PS. Case No.-580 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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Niraj Kumar S/O Ruplal Sahani R/O Village- Lakhaura Purwari Tola, P.S-
Lakhaura, Distt.- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Patiram Sahani S/O Late Dhanpat Sahani R/O Village- Raj Dhruv Lakhaura,
P.S- Lakhaura, Distt.- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Muffasil (Lakhaura) P.S. Case No.580 of 2022,
registered for the offences punishable under Sections
363/366A/34 of the Indian Penal Code and Section 8 of the
POCSO Act.

3. As per the prosecution, the FIR has been lodged
against seven named accused persons against whom there is
allegation that they in connivance with each other kidnapped the
minor daughter of the informant.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence. Only by virtue of apprehension his name has been inserted in this case. Learned counsel for the petitioner submits that antecedent of the petitioner is clean and only and only by virtue of suspicion his name has come.

5. Learned counsel for the State opposes the prayer for bail and submits that the alleged victim has been recovered and in her statement under Section 164 Cr.P.C. she has named the petitioner also in the alleged occurrence.

6. Considering the facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, the prayer for anticipatory bail is refused. However, in the event of surrender of the petitioner within four weeks, the prayer for regular bail shall be considered without being prejudiced by the order of this Court.

(Dr. Anshuman, J)

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