

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49061 of 2024

Arising Out of PS. Case No.-71 Year-2024 Thana- AMAUR District- Purnia

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Anoj Kumar Yadav son of Suresh Lal Yadav Resident of Village - Nitender
W.No-6, PS- Amour, Dist- Purnea

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Deeplal Yadav son of not given Moh- Nitender W.No-6, Ps- Amour Dist- Purnea

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Raj Kumar, Advocate
For the State	:	Mr. Shyameshwar Dayal, APP
For the Informant	:	Mr. Samir Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 17-12-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Amour P.S. Case No. 71 of 2024, registered for the offences punishable under Section 376, 323, 504/34 of the Indian Penal Code and Sections 3 and 4 of the POCSO Act.

3. As per the allegation, about 15 years old victim has been subjected to rape by the petitioner.

4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that as a matter of fact, the alleged victim wants to marry the petitioner and on his refusal to marry



her, this false case has been filed. He also submits that the alleged victim is major and POCSO Act is not applicable against her in the case.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner no criminal antecedent.

7. However, Ld. APP for the State and learned counsel for the O.P. No. 2 submit that minor girl has been subjected to ravishment by the petitioner and he does not deserve to be enlarged on anticipatory bail. They further submit that even panchayati was held to resolve the matter, but the petitioner has not appeared before the panchayat. They also submit that there is no dispute that the victim girl is minor as per school certificate as has come in the case diary.

8. Considering the aforesaid facts and circumstances, I am not persuaded to enlarge the petitioner on anticipatory bail.

9. Accordingly, the prayer of the petitioner for anticipatory bail is rejected.

(Jitendra Kumar, J

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