

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52045 of 2024

Arising Out of PS. Case No.-280 Year-2023 Thana- ITARHI District- Buxar

Vinay Kumar S/o Ashok Chaudhary R/o vill - PURshotampur, P.S. - Itarhi,
Distt. - Buxar

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Geeta Devi W/o Sunil Nat R/o vill - Purushottampur, P.S. - Itarhi, Dist.-
Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar, Advocate

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Itrahi P.S. Case No. 280 of 2023 for the offence registered under Sections 363, 363(A) of the Indian Penal Code and Section 8 of the POCSO Act.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that her minor daughter aged about 15 years on 19.12.2023 at 3:30 P.M. had gone towards the river but did not return, thereafter, a search was made but the victim could not be found and thus, alleges that her daughter used to talk to Nitish



Kumar having mobile No. XXXXX73651 hence, based on suspicion alleges that he kidnapped her daughter for the purposes of marriage.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the instant case by the informant. It is also submitted that the petitioner is not named in the FIR and the thrust of the allegation is on Nitish Kumar.

5. Learned APP for the State opposes the prayer for anticipatory bail application and submits that the victim has come back and her statement was recorded under Section 164 of the Cr.P.C. in which she has supported the case of the prosecution and has stated that she was confined in a room for three days and five persons raped her including the petitioner. It is also submitted that the injury report also record that the hymen was found ruptured.

6. Considering the submission put forward by the parties, this Court is not inclined to extend him the privilege of anticipatory bail which is accordingly rejected.

(Satyavrat Verma, J)

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