

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52040 of 2024

Arising Out of PS. Case No.-39 Year-2024 Thana- RANIGANJ District- Araria

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Amar Kumar Sharma Son of Ganesh Sharma Resident of Village - Palsa,
Ward No.- 03, P.S.- Ajam Nagar, District - Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anjali Kumari D/o Anil Sharma R/o vill - Kalabalua, Baijnathpur, ward no.
1, P.s. - Raniganj, Distt. - Araria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr.Vinod Shanker Modi

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Raniganj P.S. Case no. 39 of 2024 registered for the
offences punishable under Sections 376, 504, 506 of the
Indian Penal Code. Later on Section 4 of the POCSO Act
was also added.

3. Allegation against the petitioner is that he established
physical relations with the victim several times on pretext of
marriage and later on when the victim asked him for marriage,
he refused to marry.



4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. It is further submitted that the sister of informant is married with the elder brother of the petitioner and now her parents want to solemnize marriage of the informant with the petitioner and when the proposal of the informant's side was rejected, this false case has been lodged against the petitioner with concocted story. He further submits that petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegation levelled against the petitioner is serious in nature and the victim girl, who is minor, has also supported the prosecution case in her statement recorded under Section 164 Cr.P.C., hence he does not deserve the privilege of anticipatory bail.

6. Considering the facts and circumstances of the case as well as the statement of the victim recorded under Section



164 Cr.P.C., I am not inclined to enlarge the petitioner on bail.

The prayer for bail of the petitioner is hereby rejected.

7. Accordingly, the application stands dismissed.

(Anjani Kumar Sharan, J)

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