

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58527 of 2024

Arising Out of PS. Case No.-414 Year-2023 Thana- UCHKAGAON District- Gopalganj

Pappu Kumar Son of Harikishvn Sah Resident of village - Shyampur (Noniya Tola), P.S.- Uchkagawon, Distt.- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rekha Devi W/O- Sanjay Sah R/V- Village- Shyampur Noniya Tola, P.S.- Uchkagawon, Distt.- Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Harendra Prasad, Adv.
For the State	:	Mr. Mohammad Sufyan, APP
For the Informant	:	Mr. Manoj Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 05-12-2024 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in Uchkakagaon P.S. Case No. 414 of 2023 registered for the offences punishable under Sections 366(A), 376, 379, 323, 324, 312, 313, 506 of the Indian Penal Code and Section 6 of the POCSO Act.

3. As per the prosecution case, the petitioner is accused of causing the informant's minor daughter to elope by enticing her under false pretense of marriage and establishing a sexual relationship with her.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that, as a matter of fact, informant had earlier lodged Uchakagaon P.S. Case No. 186/2023, u/s 366(A) against the petitioner, in which the victim in her statement under Section 164 Cr.P.C., has not supported the prosecution case. Four months, thereafter, the informant filed the present case against the petitioner. He submits that, in the entire investigation, no material has come against the petitioner. The petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail and submitted that the victim is still traceless, it is apparent from para-8 of the impugned order.

6. Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below would pass order on the



same day in accordance with law without being prejudiced by
this order.

(Anjani Kumar Sharan, J)

anand/-

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