

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60307 of 2023

Arising Out of PS. Case No.-128 Year-2022 Thana- UJIYARPUR District- Samastipur

Sanjay Poddar Son Of Tejo Poddar @ Tej Narayan Poddar Resident Of
Village - Balari, Police Station - Ujiyarpur, District - Samastipur

... .. Petitioner/S

Versus

1. The State Of Bihar Patna
2. Arisa Kumari @ Arisha Kumari Daughter Of Subhash Poddar @ Munna Poddar Resident Of Village And Police Station - Ujiarpur, District - Samastipur
3. Radha Devi Wife Of Subhash Poddar @ Munna Poddar Resident Of Village And Police Station - Ujiarpur, District - Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Balram Kapri, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-01-2024 Heard the parties.

2. Petitioner apprehends his arrest in connection with Ujiyarpur P.S. Case No. 128 of 2022 dated 15.04.2022, registered for the offence punishable u/s 363, 366, 366-A of the I.P.C., pending in the court of learned Sub-divisional Judicial Magistrate, Dalsinghsarai (Samastipur).

3. Allegation against the petitioner is that he along with two others have kidnapped the daughter of the informant.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has been falsely implicated in this case due to previous grudge. There is no specific allegation of assault and torture against the petitioner.



The allegation is general and omnibus in nature. He further submits that petitioner has solemnized marriage with the victim. The statement of the victim recorded u/s 164 of Cr.P.C. in which she has supported the prosecution case. Petitioner has no criminal antecedent.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioner is serious in nature, hence he does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, the statement of the victim recorded u/s 164 of the Cr.P.C., I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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