

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60536 of 2023

Arising Out of PS. Case No.-411 Year-2022 Thana- SURSAND District- Sitamarhi

NAGESHWAR RAI S/o- PUKAR RAI Village- Piprari Ps- Bajpatti Dist-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mrs .Asha Devi

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-03-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in connection with Sursand P.S. Case No.411 of 2022, registered for the offence punishable under Sections 363, 336A, 34 of the Indian Penal Code.

3. The allegation against the petitioner is that he along with other co-accused persons kidnapped the minor daughter of the informant for the purpose of marriage.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is no specific overt act against the petitioner. He further submits that petitioner is not named in the FIR. Petitioner is the maternal uncle of the



co-accused Deepak Kumar. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail by submitting that the victim girl has supported the prosecution case in her statement recorded u/s 164 of Cr.PC.

6. Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. Accordingly, this application is dismissed.

8. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

shikha/-

U		T	
---	--	---	--

