

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63281 of 2023

Arising Out of PS. Case No.-44 Year-2017 Thana- KUDHNI District- Muzaffarpur

Ratnesh Sah S/O Dev Narayan Sah @ Deo Narayan R/O Village- Sakra Bajit,
P.S- Sakra, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-01-2024 Heard Mr. Manjeet Kumar Mishra, learned counsel
for the petitioner and Mr. Dilip Kumar No. 1, learned A.P.P. for
the State.

2. The petitioner apprehends his arrest in Kurhani
P.S. Case No. 44 of 2017 registered for the offences punishable
under Section 366(A) & 363/34 of the Indian Penal Code
pending in the Court of learned A.C.J.M., 1st (West)
Muzaffarpur.

3. As per the prosecution case, petitioner along
with other co-accused persons are said to have kidnapped the
daughter of the informant.

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 the occurrence took place on 24.01.2017 and the F.I.R. was lodged on 28.01.2017 i.e. after delay of four days and there is no any explanation regarding the delay, which creates serious doubt on the prosecution case. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the statement of the victim is recorded under Section 164 of Cr.P.C., in which she has supported the prosecution case and the victim is minor.

6. Considering the facts and circumstances of case, 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 seek 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/-

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

