

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66970 of 2023

Arising Out of PS. Case No.-100 Year-2023 Thana- BISFI District- Madhubani

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Amit Kumar @ Amit Maharaj @ Lalit Kumar S/O Shambhu Maharaj R/O
Village- Ajnauli, P.S- Bisfi (Patauna), Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv. Ms. Priyanka Singh, Adv.
For the Opposite Party/s	:	Mr. Madhura Nand Jha, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-01-2024 Heard Mr. Yogesh Chandra Verma, learned Sr. counsel assisted by Ms. Priyanka Singh, learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

2. Petitioner apprehends his arrest in connection with Bisfi P.S. Case No. 100 of 2023 dated 27.03.2023, registered for the offence punishable u/s 363, 366(A), 504 and 506/34 of the I.P.C., pending in the court of learned A.C.J.M., Benipatti, Madhubani.

3. As per the prosecution case, the daughter of the informant was kidnapped by the petitioner and his associate for selling her or for illicit purpose. It is further alleged that when informant along with family members went to the house of the



petitioner and narrated about the incident, they have abused informant side.

4. It is submitted by learned Sr. counsel for the petitioner that the petitioner is quite innocent and has been falsely implicated in this case due to village politics. No occurrence has ever taken place as alleged in the F.I.R. The victim was major when the occurrence took place and offence u/s 363 and 366A of the I.P.C. is not made out against the petitioner. The allegations levelled against the petitioner is general and omnibus in nature. Petitioner has no criminal antecedent as mentioned in para 3 of the bail application.

5. Per contra, learned APP for the State and learned counsel for the informant vehemently opposed the bail petition submitted that the statement of the victim recorded u/s 164 of Cr.P.C. in which she has supported the prosecution case, the allegations levelled against the petitioner is serious in nature, it is not fit case to grant anticipatory bail, hence he does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, the nature of offence is serious, 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. Considering the fact that two co-accused have been granted regular bail by the learned court below and victim is major.

(Anjani Kumar Sharan, J)

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