

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67088 of 2023

Arising Out of PS. Case No.-709 Year-2023 Thana- KAHALGAON District- Bhagalpur

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GHANSHYAM TANTI SON OF LATE JICHHU TANTI RESIDENCE OF
VILLAGE-GOPALPUR, P.S-KAHALGAON, DISTRICT-BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal

For the Opposite Party/s : Mr.Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-01-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. Petitioner is apprehending his arrest in connection with
Kahalgaon P.S. Case No.709 of 2023, registered for the offence
punishable u/s 341, 323, 504, 506 & 365 of the IPC.

3. As per the prosecution case, the informant alleges that her
son has been abducted by the petitioner, who has earlier brutally
assaulted her son after leveling the allegation of theft on him.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence.
He has been falsely implicated in this case due to ulterior
motive. No such occurrence in the manner as alleged has ever
taken place. It is submitted that the son of the informant has
committed theft in the house of the petitioner, thereafter, the



petitioner called his parents and sent him with his parents. In the entire case diary, no one has supported the prosecution case. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that there is specific allegation against the petitioner and the statement of the victim was recorded u/s 164 Cr.P.C., in which, he has supported the prosecution case.

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

7. This application is accordingly dismissed.

8. However, petitioner is at liberty to surrender before the learned Court below within a period of six weeks and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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