

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74316 of 2023

Arising Out of PS. Case No.-226 Year-2023 Thana- KALYANPUR District- Samastipur

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SUMIT KUMAR @ BASANT KUMAR S/O SHRI RAMNARESH TIWARI
VILLAGE- CHAKMEHSI, PS. CHAKMEHSI, DIST. SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Thakur
		Ms. Vaishnavi Singh, Advocates
For the State	:	Mr. Kumar Veerendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-02-2024 Heard Mr. Ajay Thakur, learned counsel for the petitioner and Mr. Kumar Veerendra Narayan, learned APP for the State.

2. The petitioner is apprehending his arrest connection with Kalyanpur P.S. Case No. 226 of 2023, F.I.R. dated 24.07.2023 registered for the offences punishable under Sections 341, 323, 354(B), 500, 504, 34 of the Indian Penal Code and Sections 8, 12, 17 of the POCSO Act and Section 67 of the Information Technology (Amendment) Act, 2000.

3. Allegation against the petitioner is that he has kidnapped the victim and outraged her modesty.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case and no such occurrence had taken place and due



to some ulterior motive the petitioner has been implicated in the present case. He further submits that from perusal of the F.I.R. it appears that due to some other incident the petitioner has been falsely implicated in the present case.

5. Learned APP for the State, on the other hand, on the basis of material available on record and the case diary, vehemently opposed the prayer for bail and submits that it has come during investigation that the petitioner was involved in the present crime in question and the statement of the victim girl was recorded under Section 164 of the Cr. P.C. in which she has fully supported the case of the prosecution and she has clearly stated that the petitioner has tried to molest her.

6. Considering the aforesaid facts and the nature of allegation, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Kalyanpur P.S. Case No. 226 of 2023 pending in the Court of learned Special Judge POCSO, Samstipur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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