

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75723 of 2024

Arising Out of PS. Case No.-46 Year-2024 Thana- AZIMABAD District- Bhojpur

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Pintesh Rawani Son of Nand Gopal Rawani @ Nand Gopal Resident of
village- Bankat, P.S- Garhni, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-11-2024 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Azimabad P.S. Case No. 46 of 2024 dated 12.05.2024,
lodged under Sections 365, 366-A, 504, 506, 34 of the Indian
Penal Code pending before the Court of Chief Judicial
Magistrate, Bhojpur at Ara.

3. As per the prosecution, FIR has been lodged against
three named accused persons (including the present petitioner)
and three unknown persons against whom there is an allegation
that they have forcefully kidnapped the informant's daughter.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel



submits that the victim girl has been recovered and in her statement under section 164 Cr.P.C., she has not disclosed the name of the petitioner, rather, in the rejection order, it has come that Vishnu Kumar and two others have forcefully kidnapped the victim girl. Counsel submits that Vishnu Kumar is already in custody. Counsel further submits that the criminal antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the victim girl is not major, rather, she is minor as per the certificate attached. Counsel further submits that regular bail application of co-accused Vishnu Kumar has already been rejected.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected with a direction that if the petitioner surrenders before the Court below within a period of four weeks from today, then in that case, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day and if, being satisfied that the petitioner's name is not there in the statement under section 164 of the Cr.P.C., then in that case, the Trial Court shall pass order on the merit of this case without being prejudice that the



anticipatory bail of the petitioner has been rejected by this
Court.

(Dr. Anshuman, J)

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