

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82446 of 2024

Arising Out of PS. Case No.-112 Year-2024 Thana- THAKURGANJ District- Kishanganj

Shamir @ Sharul Haque S/o Md. Budu @ Md. Budhu @ Budhu R/o vill -
Malkadanga, Dhantola, P.S. - Islampur, Distt.- Uttar Dinajpur (W.B)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Israil S/o Late Yad Ali R/o vill - Dudhauti, ward no. 4, P.s. -
Thakurganj, Distt.- Kishanganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and Mr. Dilip Kr.

No. 1, learned APP for the State.

2. Petitioner is apprehending his arrest in connection with
Thakurganj P.S. Case No.112 of 2024, registered for the offence
punishable u/s 137(2), 96, 143, 62, 3(5) of B.N.S., 2023.

3. Allegedly, the petitioner along with other co-accused
persons have kidnapped the minor daughter of the informant
with the intention to marry her and tried to sell her. It is further
alleged that they also assaulted her and threatened her to kill.

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 local politics



and ulterior motive. Occurrence took place on 19.07.2024 and FIR was lodged on 30.07.2024 i.e after the delay of 11 days without any proper explanation for the said delay. Petitioner has no criminal antecedent as mentioned in para 3 of the bail application.

5. Learned APP for the State opposed the prayer for bail by submitting that statement of the victim was recorded under Section 183 of the B.N.S., 2023, in which she has supported the prosecution case.

6. Considering the aforesaid facts and circumstances and the fact that victim has supported the prosecution case in her statement recorded under Section 183 of B.N.S., 2023, 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.

(Anjani Kumar Sharan, J)

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