

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83737 of 2023

Arising Out of PS. Case No.-240 Year-2020 Thana- KAKO District- Jehanabad

Niranjan Singh @ Niranjan Yadav @ Niranjan Kumar, Son Of Vijay Yadav
R/O Village- Gajraj Bigha, P.S.- Kako, Dist.- Jehanabad

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashwani Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 18-04-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in Kako P. S. Case No. 240 of 2020 dated
02.12.2020 registered for the offences punishable under
Sections 363, 366(A), 506 and 34 of the Indian Penal Code
and Section 8 of the POCSO Act.

3. The learned counsel for the petitioner submits
that the petitioner is a person with clean antecedent and has
been falsely implicated in the instant case by the informant,
who is mother of the victim. It is next submitted that victim
and the petitioner were in love and they have also performed



their marriage.

4. The learned counsel for the petitioner submits that petitioner and the opposite party no.2 belong to two different religion, as such, the informant falsely implicated the petitioner concealing the real fact. It is next submitted that the victim has returned and her statement was recorded under Section 164 of the Cr.P.C. wherein she has not supported the case of the prosecution. It is next submitted that the victim even fears for her life as the marriage in between the petitioner and the victim is inter-religious.

5. Learned A.P.P. Sri Chandra Bhushan Prasad after perusing the case diary fairly submits that the opposite party no.2 has not supported the case of the prosecution in her statement recorded under Section 164 Cr.P.C., thereafter the learned A.P.P. submits that at Para-104 of the case diary, it has been recorded that a Facebook post of the petitioner along with the victim has been received, which also went viral wherein the opposite party no.2 has stated that she has married the petitioner and is fearing for her life and thus, sought protection from the District Administration.



It is next submitted that process under Section 82 and 83 Cr.P.C. has also been issued and executed against the petitioner.

6. Since process under Section 82-83 Cr.P.C. has been issued, as such, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner and thus, rejected.

7. However, in the event, if the petitioner surrenders on or before 01.05.2024, the learned trial Court shall dispose of the case on the same day keeping in mind the fact that petitioner and the victim have performed their marriage and the victim has not supported the case of the prosecution in her statement recorded under Section 164 of the Cr.P.C.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

