

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85745 of 2023

Arising Out of PS. Case No.-475 Year-2018 Thana- DUMRAO District- Buxar

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1. GULAM SARWAR SON OF ROJA MIYA @ ROJA ALI R/O VILLAGE-NAWANAGAR, P.S.- NAWANAGAR, DIST.- BUXAR
 2. FIROJ MIYA @ FIROJ ALI SON OF ROJA MIYA @ ROJA ALI R/O VILLAGE- NAWANAGAR, P.S.- NAWANAGAR, DIST.- BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ravi Shankar Pathak
For the Opposite Party/s	:	Mr.Uma Shankar Prasad Singh
For the Informant	:	Mrs.Dimpal Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 15-05-2024 Heard the parties.

2. The petitioners apprehend their arrest in connection with Dumraon (Naya Bhojpur O.P) P.S. Case No.475 of 2018, registered for the offence punishable under Sections 366A of the Indian Penal Code.

3. The allegation against the petitioners is that they kidnapped the minor daughter of the informant.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather



general and omnibus in nature. There is no specific overt act against the petitioners. Petitioners have no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail by submitting that the victim has supported the prosecution case in her statement recorded u/s 164 of Cr.PC.

6. Having regard to the facts and circumstances of the case as well as considering the statement of victim, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

7. Accordingly, this application is dismissed. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law considering that the parties have compromised.

(Anjani Kumar Sharan, J)

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