

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85457 of 2023

Arising Out of PS. Case No.-41 Year-2021 Thana- GHOGHARDIHA District- Madhubani

Rahul @ Rahul Kumar S/O Sri Ram Prasad Chaupal R/O Village- Belha,
Ward No. 11, P.S- Phulparas, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Jha

For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 363, 366(A), 379, 342, 506/34 of the Indian Penal Code.

3. Petitioner is said to have confined the wife of the informant in a room and kidnapped his minor daughter.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the present false case has been filed against the petitioner due to love affairs going on between the petitioner and the daughter of the informant. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer



for bail submits that the victim in her statement recorded under Section 164 of the Cr.P.C. has supported the prosecution case.

6. Considering the facts and circumstances of the case and the statement of the victim, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Ghoghardiha P.S. Case No. 41 of 2021.

7. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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