

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5125 of 2024

Arising Out of PS. Case No.-340 Year-2021 Thana- GOVINDGANJ District- East
Champaran

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Tunna Sah @ Tunna Kumar SON OF INDRASAN SAH @ Asan sah VILL-
BAHUARA, PS-KALYANPUR, EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Dhurendra Kumar, Advocate
For the Opposite Party/s	:	Mr.Arun Kumar, APP
For the Informant	:	Mr. Manjit Kumar Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner, Informant
and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Govindganj P.S. Case NO. 340/2021 (POCSO Trial NO. 82/2022) registered under Sections 363, 365, 366(A)/34 of the Indian Penal Code lodged on 01.11.2021 by the informant, Girja Devi.

3. As per the prosecution story, the informant alleged that her maternal grand daughter, a minor who stays with her for the purpose of study had gone to take meal in the neighbour's house but was taken away by the accused persons and fearing kidnapping. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that



omnibus allegation has been made against the accused persons including the petitioner, the police submitted final form but the learned Court deferred and took cognizance which includes Section 376 of the Indian Penal Code as also Section 4/8 of the POCSO Act.

5. Learned counsel for the informant, on the other hand, submits that a bare perusal of the FIR would show that it is of the year 2021 and three years later, the petitioner has tried to take anticipatory bail when processes under Section 82 of the Cr.PC. has been initiated.

6. Considering the aforesaid fact, especially when the process has been initiated as informed by the learned counsel for the informant, it would be appropriate that the petitioner prefers bail after surrendering, this Court is not inclined to grant him anticipatory bail.

7. Cr. Misc. No. 5124 of 2024 stands rejected.

(Rajiv Roy, J)

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