

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1200 of 2024

Arising Out of PS. Case No.-114 Year-2023 Thana- BELA District- Sitamarhi

CHANDAN KUMAR S/O- KISHUN RAUT R/O- MUJAULIYA, WARD
NO.- 12, P.S.- BELA, DIST.- SITAMARHI- 843324

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar, Adv.

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Bela P.S. Case No. 114 of 2023 registered for the offences punishable under Sections 363, 366(A), 34 of the Indian Penal Code and Section 8 of POCSO Act.

3. Allegedly, all the FIR named accused persons including the petitioner are said to have kidnapped the informant's daughter when she had gone to shop to purchase some articles.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and he has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and



based on concocted facts. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that the victim is a minor girl aged about 14 years. He further submits that the statement of the victim girl has been recorded under Section 164 Cr.P.C. in which she has supported the prosecution case. Hence, petitioner does not deserve the privilege of anticipatory bail.

6. Considering the facts and circumstances of the case as well as the statement of the victim recorded under Section 164 Cr.P.C., I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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