

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68048 of 2024

Arising Out of PS. Case No.-330 Year-2023 Thana- SAUR BAZAR District- Saharsa

Dilip Bhagat @ Dilip Kumar Bhagat Son of Ram Narayan Bhagat Resident of
Village- Golma, Ward No. 14, Golma, Saharsa, P.S.- Golma, Distt.- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Muni Devi W/o late Rakesh Sharma R/o Village- Forsaha Panchayat, Kateya
Ward No. -15, P.S.- Sour Bazar, District- Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad
For the Opposite Party/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 09-04-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 363 and
366 of the Indian Penal Code and Sections 4 and 18 of POCSO
Act along with Section 3(1) of SC/ST Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and his father of
Saurav Kumar. It is next submitted that the informant alleges
that on 5-6-2023 at 4:00 PM, his minor daughter aged about 14
years along with her younger brother had gone for tuition at
Golma, but his daughter was kidnapped by Saurav Kumar,



thereafter the brother of the victim disclosed about occurrence, accordingly the informant went to the house of Saurav Kumar, where Upendra Bhagat (uncle of Saurav Kumar) assaulted him and threatened of dire consequences.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the date of occurrence is 5-6-2023 and the FIR came to be instituted on 19-6-2023, i.e., after a delay of 14 days without any plausible explanation. It is further submitted that the victim came back and her statement was recorded under Section 164 Cr.P.C., wherein she has not supported the case of the prosecution nor has alleged anything against this petitioner.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sour Bazar P.S. Case No. 330 of 2023, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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