

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76054 of 2024

Arising Out of PS. Case No.-194 Year-2024 Thana- NAUBATPUR District- Patna

Vikash Kumar Son of Sanjit Paswan Resident of Village- sarasat P.S-
Naubatpur District-Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sudhir Paswan Son of Raghunath Paswan village- Sarasat, Ps- Naubatpur,
Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Ms. Usha Kumari Singh, Advocate Mr. Sanjay Kr. Sinha, Advocate
For the State	:	Mr. Rajesh Kumar, APP
For Opposite Party No.2	:	Mr. Kamlesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-01-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 363, 366A, 376(3), 328 and 34 of the Indian Penal Code and Sections 4 and 6 of the POCSO Act.

3. As per prosecution case, this petitioner, along with other accused persons, kidnapped minor daughter of informant for the purpose of marriage.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in this case. As a matter of fact, parents of this petitioner had lent money to the informant and were demanding



the same for a long time and only with an intention not to return the loan money, this false and concocted case has been lodged. He further submits that during course of investigation, the victim herself went to the police station and denied the *factum* of kidnapping. Petitioner claims clean antecedent.

5. On the other hand, learned A.P.P. for the State and learned counsel appearing on behalf of the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that there is specific and direct allegation of kidnapping against this petitioner. It is further submitted that the victim in her statement recorded under Section 164 of the Cr.P.C. has supported the prosecution case and has also alleged that this petitioner committed sexual abuse with her.

6. Considering the aforesaid facts and circumstances, nature of accusation and statement of the victim recorded under Section 164 of the Cr.P.C., the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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