

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85928 of 2024

Arising Out of PS. Case No.-108 Year-2024 Thana- SAHEBGANJ District- Muzaffarpur

Pankaj Kumar @ Suraj Kumar @ Suraj S/o- Ramsurat Ram @ Surat Ram
Resident of Village- Jagdishpur, P.S.- Sahebganj, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 13-05-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Sahebganj P.S. Case No. 1085/2024 registered on 10.03.2024 for the offenses punishable under Sections 363, 366A/34 of the Indian Penal Code.

3. According to the prosecution, the F.I.R. has been lodged against seven named accused persons, including the petitioner. It is alleged that all the accused arrived at the informant's residence in a vehicle and forcibly took away the informant's daughter. It is further alleged that, prior to the incident, the petitioner had threatened the informant, stating that



he would abduct his daughter and marry her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. It is further submitted that although the alleged incident took place on 07.03.2024, the F.I.R. was lodged on 10.03.2024, after an unexplained delay of three days. Learned counsel also contends that in her statement recorded under Section 161 Cr.P.C., the victim did not make any allegations against the petitioner. However, in her subsequent statement recorded under Section 164 Cr.P.C., she levelled allegations against the petitioner, purportedly under pressure from her family members. It is also submitted that the petitioner has no criminal antecedents and has been falsely implicated in the present case.

5. Learned APP for the State vehemently opposes the prayer for bail and submits that in her statement recorded under Section 164 Cr.P.C. before the Magistrate, the victim alleged that the petitioner forcibly married her and established physical relations against her will. It is further submitted that the victim was also subjected to torture.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Sahebganj P.S. Case No.



108/2024, pending before the learned 4th Judicial Magistrate,
First Class, Muzaffarpur (West) is hereby rejected.

7. However, in case the petitioner surrenders before
the Trial Court within six weeks from today, the Trial Court is
directed to pass an order on his surrender-cum-bail application
without being prejudiced by the fact that the petitioner's
anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

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