

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86800 of 2024

Arising Out of PS. Case No.-192 Year-2024 Thana- DIGHWARA District- Saran

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Guddu Kumar Son of Birendra Mahto Resident of Village- Manupur, PS-
Dighwara, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Khushi Awadh, Adv.

For the Opposite Party/s : Mr. Mohammed Arif, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Dighwara P.S. Case No. 192 of 2024 registered for the offences punishable under Sections 363, 366(a), 34 of the Indian Penal Code.

3. As per FIR, co-accused Aman Kumar, full brother of the petitioner, is said to have kidnapped the minor daughter of the informant.

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



based on concocted. Nothing specific has been attributed against him. He was not even named in the FIR. His name has been transpired in the present case on the basis of the statement of the victim recorded under Section 164 Cr.P.C. in which she has stated that the alleged occurrence took place in association of the petitioner and co-accused Sonu Kumar. It is further submitted that the main accused in the instant case, namely, Aman Kumar, has already been granted bail by the Juvenile Justice Board of the concerned area court and similarly situated co-accused, namely, Birendra Mahto has also been enlarged on bail by this Court vide order dated 30.10.2024 passed in 74646 of 2024. Learned counsel further submits that petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

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

7. Accordingly, the application stands dismissed.

8. 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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