

**IN THE COURT OF SESSIONS JUDGE, WEST CHAMPARAN
CAMP COURT BAGAHA**

A.B.P. No. 596 (C) of 2022

19.11.2022

Heard, Shri Sunil Kumar Pathak, learned counsel for the petitioner and the learned Public Prosecutor in-charge on the anticipatory bail petition filed on behalf of the petitioner namely Dinesh Yadav. The petitioner is apprehending his arrest in Dhanaha P.S. Case No. 208 of 2022, u/s 366(A), 34 of the I.P.C.

The case of the prosecution as stated by the informant in brief is that on 08.08.2022 at about 02:00 hours in the day when the daughter of the informant was alone at her house in the meantime the co-accused Sudarshan Nishad came and abducted her. When the informant and his wife return to their house they started searching their daughter but they could not traced her. Thereafter, the informant went to the house of co-accused Sudarshan Nishad to inquire into the matter where all the F.I.R. named accused persons abused him and also threatened to assault him. The informant has further stated that on 23.08.2022 his daughter called him on his mobile but when he asked her about her location he could not disclosed her location. He has also stated that his daughter took away golden ornaments along with her.

It has been submitted on behalf of the petitioner that the petitioner is innocent and has not committed any offence and has been falsely implicated in this case. The is not F.I.R. named accused person and he has been falsely implicated in this case due to conspiracy. The alleged sections are not attracted against the petitioner. The occurrence is alleged to have taken place on 08.08.2022 but the F.I.R. was lodged on 01.09.2022 after a long delay. The petitioner is apprehending his arrest.

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Learned Public Prosecutor in-charge has opposed the prayer of bail.

Heard both the sides and perused the record. From the perusal of the record it appears that in Para No. 112 of the case diary the victim in her statement u/s 164 of Cr.P.C. specifically stated that the petitioner forcibly took her to Ludhiyana and forcibly made physical relation with her. The petitioner has no criminal antecedent.

Thus, under the facts and circumstances of the case and the nature of the allegation levelled, I am of the view that this is not a fit case for anticipatory bail. Hence, the prayer for bail made on behalf of the petitioners is hereby rejected.

(Dictated)

Sessions Judge