

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33392 of 2013

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Ali Raja S/o Late Islam Mian Resident of Village Hasanpura, P.S. M.H.
Nagar Hasanpura, District Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

4 24-12-2013

Heard learned counsel for the petitioner and learned

Additional P.P. for the State.

The petitioner prays for anticipatory bail in a case under
Sections 364, 384, 120B and 504 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case for the sole
reason that he is brother-in-law (sala) of the uncle-in-law (mamera
sasur) of the boy who is stated to have been abducted and thus for
that very reason he has been falsely implicated in this case
although he has no role to play in the matter. It is further
submitted that the complaint itself has been made after a lapse of
nearly 8-9 months and prior to that the co-accused Kadam Rasool
had himself instituted a Sanha in Dewaria Police Station which
had submitted its report on 29.2.2011. It is further submitted that
the petitioner has no criminal antecedent.



Learned Additional P.P., however, points out that it has come during the course of investigation that the main allegation, in fact, is against this very petitioner and panchayati was also held in which accused persons including the petitioner had stated that they would see that the boy returns home but nothing was done by them.

On a consideration of the facts and circumstances of the case, the prayer for anticipatory bail is rejected.

(Ramesh Kumar Datta, J)

spal/-