

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23809 of 2015

Arising Out of PS.Case No. -258 Year- 2014 Thana -BALIA District- BEGUSARAI

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1. Robin Yadav @ Ravindra Yadav @ Rabin Yadav Son of Faudari Yadav
@ Rameshwar Prasad Yadav resident of village - Manari Gachhi, P.O.
Lakhminia, Police Station - Ballia, District - Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash

For the Opposite Party/s : Mr. Prem Kumar Jha(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case
instituted under Section 364(A) of the Indian Penal Code.

The prosecution story, in brief, is that the
informant Lal Pari Devi was at her home with her second married
daughter Anita Devi. On 29.07.2014 at about 10 A.M. Fulo Devi
came in the presence of the informant and took away her daughter
saying that Rabin Yadav is calling you at the residence of
Krishnadeo Pandit. Till night she did not return home, then in the
morning informant enquired from Fulo Devi, she refused to reply
any thing. On 31.07.2014 from mobile no. 9570005346 of second
daughter of informant to mobile no.8298713096 at about 12.53
P.M. demand was made of Rs. Two lacs as ransom from the first

daughter of informant saying that her sister will be killed otherwise pay the amount. Informant suspected that in this occurrence Fulo Devi, Rabin Yadav and Krishnadeo Pandit are involved.

It has been submitted on behalf of the petitioner that the petitioner has been made accused in the present case due to mistake of fact. There is no substantive evidence to suggest the implication of the petitioner. The petitioner is not seen with the victim.

On behalf of the State, it has been submitted that the petitioner has got criminal antecedent and the victim is still traceless.

Considering the aforesaid facts, I am not inclined to grant anticipatory bail to the petitioner, who is an accused in Ballia P.S. Case No. 258 of 2014 pending in the Court of learned C.J.M., Begusarai and the same is rejected.

However, if the petitioner surrenders in the court below and prays for regular bail, the same shall be considered on its own merit without being prejudiced by this order of rejection.

(Sudhir Singh, J)

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