

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41961 of 2014

Arising Out of PS.Case No. -312 Year- 2011 Thana -KAJI MUHAMMADPUR District-
MUZAFFARPUR

Indal Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Madan Kumar-(A.P.P.I/c)

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

03 09-04-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

Informant's son Aayush Raj was kidnapped from a
school where he was studying by the person whom the victim had
addressed as Bhaiya, on query made by the teacher. Up-till-now,
victim has not been traced out.

It has been submitted on behalf of petitioner that save
and except inculpatory confessional statement of co-accused,
nothing more happens to be. Furthermore, the accused, who had
named the petitioner, had already been granted regular bail under
Cr. Misc. 25512 of 2013. Other accused have also been released
on regular bail vide Cr. Misc. No.37008 of 2012 and Cr. Misc.
No.19163 of 2012. As such, petitioner be enlarged on bail.

On the other hand, learned Additional Public

Prosecutor opposed the prayer.

Gone through the case diary. During course of investigation, it has been traced out that Deepak, who happens to be own cousin brother of alleged victim was the person involved in this case, who with the help of Awadhesh and this petitioner succeeded in his ambition. Furthermore, as the victim has not been traced out as yet. The exact part, if any, played by the petitioner could not be ascertained and on account thereof, stressing over inculpatory confessional statement of co-accused while appreciating prayer of anticipatory bail is found hazardous, more particularly in the present nature of offence.

Accordingly, payer of petitioner for anticipatory bail is rejected.

(Aditya Kumar Trivedi, J)

Vikash/-

U		T	
---	--	---	--