

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39320 of 2015

Arising Out of PS.Case No. -281 Year- 2014 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

=====

Kundan Kumar, S/o Anand Mohan Sinha, resident of Village- Jogni Jaga,
P.O.- Bariyarpur, P.S.- Sakra, Distt- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Verma, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar 2(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 06-11-2015 Heard both sides.

The petitioner apprehends his arrest in Hajipur Sadar
P.S. Case No.281/2014, registered for the offences punishable
under Section 364A of the Indian Penal Code.

The informant alleged that his son Atish Kumar had
gone to Sarai for updating his pass-book, but he did not return.
The name of the petitioner figured during course of investigation.
The police took out the details of the mobile of the victim and it
transpired that the petitioner and Amit Singh were using the
mobile of the victim. The witnesses have also stated that the
petitioner Kundan Kumar and Amit Singh were seen along with
the victim.

It is submitted that the victim has not made statement under Section 164 of the Cr.P.C., but it appears that many witnesses have seen the petitioner and others in the company of the victim.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and his prayer shall be considered on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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