

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40752 of 2014

Arising Out of PS.Case No. -18 Year- 2014 Thana -BHABATIYAH I District- SUPAUL

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1. Raja Thakur @ Raj Kumar Thakur Son of Late Upendra Thakur
2. Jai Chandra Jha, Son of Late Baba Nand Jha, Both Resident of village-
Narainpur, P.S.- Babhtiyahi, District- Supaul

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Uday Chand Prasad, Advocate.

For the Opposite Party : Mr. Hirday Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 06-07-2015 Heard both sides.

The petitioners apprehend their arrest in Bhabhatiyahi P.S. Case No. 18 of 2014, registered for the offences punishable under Sections 363, 365 and other Sections of the Indian Penal Code.

The grand maternal father of the victim alleged that Mahanand Thakur took Rahul Kumar and later on the informant came to know that the petitioners and other accused persons kidnapped the victim.

It is submitted that the informant is not an eye witness of the occurrence and there is omnibus and general allegation. All the family members are implicated in the case.

From perusal of the statement of the victim Rahul

Kumar recorded under Section 164 of the Cr.P.C., it appears that all the accused persons forcibly kidnapped him and kept him confined in the house of the petitioner no. 1 Raja Thakur @ Raj Kumar Thakur. The victim himself made very specific allegation against the petitioners.

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

However, the petitioners, 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 their prayer shall be considered on its own merit without being prejudiced by this order and taking into consideration the materials available on the record.

(Prabhat Kumar Jha, J.)

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