

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26317 of 2015

Arising Out of PS.Case No. -162 Year- 2015 Thana -KANTI District- MUZAFFARPUR

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1. Bhagwan Lal Sah, son of Late Shiv Nandan Sah, resident of Village-Saine, P.s.- Kanti, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kr. Thakur, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

5 09-10-2015

Heard both sides.

The petitioner apprehends his arrest in a case under
Section 364/34 of the Indian Penal Code.

The informant made allegation that his son was
sleeping with his sister but he was kidnapped. The sister of the
victim disclosed that she identified the petitioner among the
kidnappers.

Sri Ajay Kumar Thakur, the learned counsel for the
petitioner, submits that the petitioner has got enmity on account of
land dispute with the informant. During the course of investigation
witnesses such as Arun Kumar Pandey and others have stated that
informant himself sent his son to somewhere else and lodged this
case with a view to grab the disputed land.

It appears that the informant named the petitioner on the basis of information given by his daughter that petitioner and others kidnapped his son but during the course of investigation many of the witnesses have stated about the occurrence and disclosed that daughter of informant disclosed the name of the petitioner and she identified the petitioner in course of kidnapping of son of the informant.

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

(Prabhat Kumar Jha, J)

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