

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38630 of 2015

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

1.Raja Thakur @ ERJ Kumar Thakur , son of late Upendra Thakur
2. Jai Chandra Jha, son of Late Baba Band Jha, both residents of village-
Narainpur, P.S. Bhatiyahi, District-Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad

For the Opposite Party/s : Mr. Umesha Nand Pandit (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 19-08-2015 Heard both sides.

The petitioners apprehend their arrest in a case under sections 363 , 365 and other sections of the Indian Penal Code.

The grand maternal father of the victim alleged that his grandson was kidnapped. The victim made his statement under section 164 Cr.P.C., and disclosed that he was kidnapped by the accused persons and confined in the house of Raja Thakur. The prayer for anticipatory bail of the petitioners were rejected on 6-7-2015 in Cr.Misc.No. 40762 of 2014, but the petitioners again moved for anticipatory bail on the ground that Chunu Jha, who is also co-accused, has been granted anticipatory bail by order dated 25-6-2015 passed in Cr.Misc.No. 19160 of 2015 by a bench of this Court. The case of the petitioners stands on a similar footing.

Almost all the witnesses have sworn affidavits that the case is false.

On consideration of the allegation that the victim was kidnapped by the petitioners and confined in the house of petitioner no.1, the prayer for anticipatory bail was rejected. Therefore, I do not find any fresh ground to consider the prayer for anticipatory bail. Accordingly, the same is rejected.

The petitioners, if so advised, may surrender in the court below and the court below shall consider the prayer for regular bail, taking into consideration the materials available on record as well as the fact that the co-accused has been granted anticipatory bail, and dispose of the bail petition as soon as possible.

(Prabhat Kumar Jha, J)

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