

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37365 of 2015

Arising Out of PS.Case No. -125 Year- 2005 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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Manoj Jaiswal son of Moti Lal Sah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 15-09-2015

Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case
registered for the offences punishable under Sections 364A and
120B of the Indian Penal Code.

The prosecution case is that on 28.03.2005, the cousin
maternal-grandfather of the informant namely, Satyadeo Prasad
came and stayed at the house of the informant for four days. On
fifth days, he was feeling unwell then father of the informant
asked brother of the informant to take him at his house at
Bettiah. Thereafter, the informant's brother Jai Prakash Kumar
took the cousin maternal-grandfather to his house at Bettiah
and, thereafter, he went to mohalla Kalibagh to his sister's

house but thereafter he went missing when it was alleged that the brother of the informant was kidnapped for ransom.

It is submitted by learned counsel for the petitioner that accusation is based on only suspicion whereas the co-accused persons have already been acquitted.

Considering the fact that the case was registered in 2005, this Court is not inclined to grant anticipatory bail to the petitioner. Let the learned Court below consider the prayer for regular bail of the petitioner keeping in view of the fact that co-accused persons have already been acquitted, if the petitioner surrenders within a period of six weeks in connection with Bettiah Town P.S. Case No.125 of 2005, pending before the learned CJM, West Champaran, Bettiah.

With the above observation, this application is, accordingly, disposed off.

Ashwini/-

(Dinesh Kumar Singh, J)

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