

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43804 of 2014

Arising Out of PS.Case No. -323 Year- 2013 Thana –GOPALGANJ TOWN District- GOPALGANJ

=====

Mantu Yadav S/O Jhulan Yadav R/O Vill- Manjhariya (Bramha Tola), P.S.-
Manjha Garh, Dist.- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner : Mr. Ajay Kumar Sharma

For the Opposite Party : Mr. Mukeshwar Dayal (App)

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 18-05-2015

Heard both sides.

The petitioner apprehends his arrest in connection with Gopalganj Town P.S. case no. 323 of 2013 instituted under Sections 364, 364A and 120B of the IPC.

The younger brother of the informant was kidnapped for ransom. In course of investigation the name of the petitioner transpired in the confessional statement of one Ranjan Yadav wherein it has been alleged that the petitioner has arranged a boat for crossing the victim and the accused persons the river.

Learned counsel for the petitioner submits that altogether confessional statement of five co-accuseds, in course of investigation, was recorded. Four of them have not named the petitioner. The confessional statement without any recovery

pursuant thereto shall have no evidentiary value.

Learned APP for the State, on the other hand, submits that the victim in his statement after release from the captivity has specifically stated about the accused forcing him to cross the river while he was blind completely. The case is of the year 2013 and the petitioner is still absconding.

Considering the gravity of the allegations and the fact that in such an offence different roles are assigned to different accused persons, in my view, the petitioner does not deserve the privilege of anticipatory bail. Prayer is refused.

In case the petitioner surrenders and prays for regular bail before the learned Court below, the same shall be considered and disposed of on its own merit uninfluenced in any manner by the present order.

(Kishore Kumar Mandal, J)

Shyam/-

U		T	
---	--	---	--