

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39902 of 2015

Arising Out of PS.Case No. -309 Year- 2014 Thana -PIRO District- BHOJPUR

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1. Amit Kumar
2. Vikas Kumar Both sons of Late Sheo Nath Singh resident of Village Basauni, Police Station Piro, District Bhojpur Ara.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiva Ranjan

For the Opposite Party/s : Mr. Dr.Kumar Uday Pratap (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-10-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 363, 366A and later on 376 of the Indian Penal Code.

Allegation against the petitioners is to have kidnapped the daughter of the informant.

It has been submitted on behalf of the petitioners that they have got no criminal antecedent. They have been made accused due to mistake of fact. Both the petitioners are students in college and they are pursuing their studies. There is no evidence with regard to the allegation made against them.

On behalf of the State, it is submitted that the petitioners are not named in the F.I.R. but subsequently in course of investigation the victim in her statement recorded under Section 164 Cr. P.C. has named these petitioners.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners, same is

rejected.

Any how if petitioners surrender in the court below (Chief Judicial Magistreat, Bhojpur, Ara, in Piro P.S. Case no. 309 of 2014) and pray for regular bail, same shall be considered on its own merit without being prejudiced by this order. Learned court below shall also consider the submissions made on behalf of the petitioners that they are college students.

(Sudhir Singh, J)

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