

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30417 of 2015

Arising Out of PS.Case No. -285 Year- 2014 Thana -DIGHA District- PATNA

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Deepak Kumar @ Deepak, S/o Satish Kumar, resident of Village -
Moriawa, P.S. - Dhanarua, District - Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. D.P. Tiwary (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 04-11-2015 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in
connection with Digha P.S. Case No.285 of 2014 for allegedly
having committed the offence under Section 365 of the Indian
Penal Code.

It is submitted on behalf of the petitioner that there is
no material on the record to show that the petitioner had taken
money or there was any money transaction between the
petitioner and the victim, who has since disappeared. It is
further submitted that the confessional statements of some co-
accused persons reveal that the mobile of the person who
disappeared was in their possession and not this petitioner. He

further submits that it has also not come on record whether there was any money transaction between the petitioner and the victim Krishna Nandan Sharma.

Learned counsel for the State, however, submits that there is enough material in the case diary so as to point finger at the petitioner as in paragraph 16 of the case diary it has clearly come that it was the petitioner who had last communicated with the victim Krishna Nandan Sharma, who thereafter disappeared.

Considering the aforementioned facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. It is, accordingly, rejected.

However, if the petitioner surrenders in connection with Digha P.S. Case No.285 of 2014 before the Chief Judicial Magistrate, Patna within four weeks from the date of receipt/production of a copy of this order and prays for regular bail, his case may be considered on its own merits without being prejudiced by this order.

(Anjana Mishra, J)

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