

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26963 of 2015

Arising Out of PS.Case No. -9 Year- 2012 Thana -KALYANPUR District- SAMASTIPUR

Santosh Thakur S/O Late Ram Charitra Thakur; Resident of village House
no. 155/c Deodha; P.S.-Deodha; District- Madhubani

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Bijay Bhushan Prasad

For the Opposite Party : Mr. Ashok Kumar Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in Kalyanpur
P.S.Case No.09 of 2012 instituted under Sections 365 of the
Indian Penal Code pending in the Court of CJM, Samastipur.

It is alleged by the informant that his son Navin Kumar
Singh having mobile no.9162129216 was married with Juhi
daughter of Shyam Bihari Rai on 28.02.2011 of village-Karuna
Harlakhi. On 01.12.2011 his son proceeded for his matrimonial
house from Muktapur Jute Mill and he has not yet reached there
till today. On 01.12.2011 some one identified persons called
through mobile no.8084497597 to the mobile no.8084880207 of
the his daughter-in-law. Caller assured that her husband was safe
then she make an attempt and tried to contact but all in vain. But

no satisfactory reply was received.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It has also been submitted that the alleged date of occurrence is on 01.12.2011 after a period of 15 days a *Sanha* was instituted in respect of the occurrence, i.e., on 02.12.2011 and ultimately FIR was instituted in respect to the present case on 05.01.2012 and no explanation has been made on behalf of the prosecution in respect to the delay of the FIR. Petitioner has falsely been implicated in the present case. There is no substantive piece of evidence to suggest his implication in the present case.

On behalf of the State, it has been submitted that the petitioner is named in the FIR and the victim is still traceless.

Considering the aforesaid facts, I am not inclined to grant anticipatory bail to the petitioner and the same is rejected.

Any how, if the petitioner surrenders in the court below within a period of four weeks and pray for regular bail, same shall be considered by the court below on its own merit without being prejudiced by this order of rejection.

(Sudhir Singh, J)

B.Kr./-

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