

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9693 of 2016

Arising Out of PS.Case No. -91 Year- 2014 Thana -SIMRI BAKHTIARPUR District- SAHARSA

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1. Upendra Prasad @ Upendra Prasad Bhagat, Son of Late Hari Kishun Bhagat.
 2. Ajay Kumar @ Pintu Kumar Bhagat, Son of Upendra Prasad Bhagat Both residents of Village- Hatiyagachhi, Simri Bakhtiarpur, P.S.- Bakhtiarpur, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ashok Kumar, Advocate.

For the Opposite Party/s : Mr. Panchanand Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 22-06-2016

Heard both sides.

The petitioners apprehend their arrest in Bakhtiarpur P.S. Case No. 91/2014 under Sections 363A, 427, 323, 34 of the Indian Penal Code.

The complainant alleged that his son, a mentally dull boy, was kidnapped by the petitioners. It is submitted that the complaint was filed after ten days of the occurrence. During the course of investigation, some of the witnesses have stated that the son of the informant was of dull intellect and he used to take articles from the petitioners on credit. The petitioners did not kidnap the son of the complainant.

It appears that the complainant made a very specific allegation that it was the petitioners who kidnapped her son and

her son did not return as yet. The victim is still traceless.

Considering the facts aforesaid, I am not inclined to
enlarge the petitioners on anticipatory bail in Bakhtiarpur P.S.
Case No. 91 of 2014. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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