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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12627 of 2016

Arising Out of PS.Case No. -377 Year- 2015 Thana -BEGUSARAI MUFFASIL District-BEGUSARAI

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Nawal Singh @ Kunwar @ Nawal Kunwar, son of Shivdani Kunwar R/o Vill-Kaithuma P.S. Mufassil, Dist. Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shubhesh Pandey
For the Opposite Party/s : Mr. Parmeshwar Mehta (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL ORDER

2 31-03-2016 Heard the counsel for the petitioner and Mr. Permeshwar Mehta, APP for the State.

Apprehending his arreast in Begusarai Muffasil P.S. Case No. 377 of 2015, registered under sections 364 and 379/34, the petitioner seeks anticipatory bail.

The son of the informant lodged the case that, on a call made by the co-accused Dhipla, the victim father had left home. He did not return home. Efforts were made to trace him in course whereof it was found that the accuseds named in the FIR including the petitioner had kidnapped him and confined. The investigation is still going on. The victim has not till date been traced/located.

Counsel for the petitioner submits that there is no tangible material to implicate the petitioner in the case. There

was a criminal litigation between the victim and his agnates. It is a case of mere suspicion.

Mr. Mehta, while opposing the prayer, states that one of the co-accuseds, on arrest, made statement implicating the petitioner in the alleged crime. Relevant fact has also been noticed by the learned Sessions Judge.

Considering the seriousness of the allegation as also the fact that the investigation is still going on, I am not persuaded to extend the privilege of anticipatory bail to the petitioner. His prayer is accordingly rejected. He should surrender and prayer for regular bail. If he does so, the same shall be considered on its own merit in accordance with law.

(Kishore Kumar Mandal, J)

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