

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18035 of 2016

Arising Out of PS.Case No. -12 Year- 2016 Thana -KANTI District- MUZAFFARPUR

- =====
1. Deepak Kumar S/o Surendra Rai
 2. Rahul Kumar Son of Ravindra Rai Both resident of village Lashgaripur,
P.S.- Kanti, District - Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-05-2016 Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

Petitioners apprehend their arrest in connection with

Kanti P.S. Case No. 12 of 2016 registered for offences punishable

under Sections 364 and 511 of the Indian Penal Code.

The prosecution case, in brief, is that at the relevant
time, while son of the informant was going for study, accused
person kidnapped him and amongst the accused persons, Rahul
Kumar, Deepak Kumar and Arun Kumar were identified. It is
further alleged that on hulla brothers of the informant and others
reached at the place of occurrence and apprehended one of the
accused, Arun Kumar and handed over to the police.

It has been submitted by the learned counsel for the

petitioners that petitioners are innocent having committed no offence and have no criminal history. It has further been submitted that no overt act has been committed by the petitioners and due to previous land dispute prevailing between the parties, petitioners have falsely been implicated in the aforesaid case.

However, learned A.P.P. for the State submits that the petitioners have been identified by the victim boy and due to intervention of other persons, the victim boy aged about 14 years has been rescued, hence, opposes the prayer for bail.

Since one of the co-accused, Arun Kumar has already been arrested and the victim boy has identified the petitioners, I am not inclined to extend the privilege of anticipatory bail to the petitioners in connection with Kanti P.S. Case No. 12 of 2016 pending in the Court of learned Sub-Divisional Judicial Magistrate (West), Muzaffarpur.

This application is, accordingly, rejected.

(Nilu Agrawal, J.)

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