

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28559 of 2016

Arising Out of PS.Case No. -67 Year- 2015 Thana -DIGHWARA District- SARAN

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Phulsharif Miyan S/o Late Gaphphur Miyan resident of village - Madarpur,
P.S. Basantpur, District – Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhananjay Mishra

For the Opposite Party/s : Mr. Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 30-09-2016 Heard learned counsel for the petitioner, learned

counsel for the informant as well as learned Additional Public

Prosecutor for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Sections 364/34 of the Indian Penal

Code.

It would appear from perusal of the impugned order

that name of petitioner surfaced in the statement of victim

recorded under Section 164 of the Cr.P.C. in which the victim

specifically stated that this petitioner had also participated in his

kidnapping. Moreover, it is informed on behalf of the informant

that victim was recovered from the house of the petitioner and the

trial of the petitioner is on the verge of conclusion.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with Dighwara P.S. Case No. 67 of 2015 pending in the court of Chief Judicial Magistrate, Saran stands rejected.

(Hemant Kumar Srivastava, J)

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