

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15894 of 2016

Arising out of PS.Case No. -227 Year- 2008 Thana -BALIA District- BEGUSARAI

Dhananjay Singh @ Dharanjay Singh, Son of Paspupati Singh, resident of Village-Bishanpur, P.S.-Ballia, District-Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sandip Kumar Gautam, Advocate.

For the Opposite Party : Mr. B.M.P.Sinha (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 16-05-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Ballia P.S. Case No. 227 of 2008 for the offences instituted under Sections 341, 323, 379 and 365/34 of the IPC.

The prosecution story, in brief, is that on 25.11.2008 at about 4.00 hours, the informant's son Hanuman Sharma, who is a student of Class-IX, came from the School and went way to see wheat crop and in course of returning he plucked the ripe banana from the field of Pashupati Singh on this act, accused Purshottam Singh and this petitioner assaulted her son and taken away at his *Dera* and thereafter they taken away to *Tetri*. Thereafter, her son did not return his home till yet and from his bicycle her son went to see the wheat crop it was also taken by the accused persons and

the informant has every confidence that her son was kidnapped and killed by them.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case. In course of investigation, the son of the informant and the daughter-in-law have stated that her mother is not of good character and she is in habit of instituting such cases. There is no direct or indirect evident against the petitioner.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R. and the petitioner has approached this Court after a period of seven years for which no explanation has been given by him.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in Ballia P.S. Case No. 227/2008, pending in the court of the learned C.J.M., Begusarai. Anyhow, if the petitioner surrenders in the court below within a period of six weeks the same shall be considered on its own merit without being prejudiced by this order.

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(Sudhir Singh, J)