

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39298 of 2016

Arising Out of PS.Case No. -124 Year- 2016 Thana -RAGHOPUR District- SUPAUL

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Dhrub Naraian Yadav, s/o late Mahavir Yadav, r/v Gangsayer, P.S.
Pratapganj, District- Supaul.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Sri Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 17-10-2016

Heard both sides.

The petitioner apprehends his arrest in Raghapur P.S.
Case No. 124/2016, registered for the offences punishable under
Sections 364, 120B of the Indian Penal Code.

The informant alleged that when his younger son
Amol Bharti, Pappu Kumar and Shambhu Yadav were going
towards Simrahi the petitioner along with others kidnapped his
son.

Learned counsel for the petitioner submits that it is not
a case of Section 364 of the Indian Penal Code. From perusal of
the statement of the victim made under Section 164 of the Cr.P.C.,
it would appear that he was taken to different places but after
some time he was released. It is further submitted that other
accused persons have already been granted anticipatory bail by the

learned Sessions Judge. Only allegation against the petitioner is that the petitioner assaulted the victim from the butt of the gun and that is why his anticipatory bail petition has been rejected.

Considering the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

The petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and prays for regular bail and his prayer shall be considered taking into consideration that other accused persons have already been granted anticipatory bail and injury on account of assault made by the petitioner is simple. The court below shall dispose of the bail petition of the petitioner preferably on the same day.

(Prabhat Kumar Jha, J.)

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