

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30853 of 2016

Arising Out of PS.Case No. -31 Year- 2016 Thana -MOHAMMADPUR District- GOPALGANJ

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Vivek Kumar Mishra son of Late Hanshnath Mishra Resident of Village-
Harpur Tengrahi, Police Station- Mohammadpur, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-09-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Section 365 of the Indian Penal Code and later on chargesheet has been submitted under section 364A/34 of the Indian Penal Code.

Allegation is that informant and his son went to hear the speech of Maha Gaytri Yagya. While informant got seated her son was moving there but after finishing of the speech, he did not come back. He is suspected to have been kidnapped by some one.

It has been submitted on behalf of the petitioner that he is in custody since 26.3.2016. Chargesheet has been submitted against the petitioner. Petitioner has got no criminal antecedent. No allegation of tampering of witnesses is alleged against him. Petitioner is not named in the F.I.R. The victim in his statement under Section 164 Cr. P.C. has named the petitioner.

On behalf of the State, it is submitted that main allegation has been made against the petitioner by the victim in his statement under Section 164 of the Code of Criminal Procedure.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner, same is rejected.

The trial court at Gopalganj is directed to take all necessary steps to expedite trial of the petitioner in connection with Mohammadpur P. S. Case no. 31 of 2016.

(Sudhir Singh, J)

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