

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39703 of 2016

Arising Out of PS.Case No. -14 Year- 2016 Thana -MATIHANI District- BEGUSARAI

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Sujeet Kumar Singh, Son of Sri Kapildeo Singh Resident of Village-
Jagatpura, PS Matihani , District Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Advocate

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 06-10-2016

Heard Shri Ajay Kumar Thakur, learned counsel for
the petitioner the learned A.P.P. for the State.

The Petitioner apprehends his arrest in Matihani P.S.
Case No.14 of 2016 under Sections 364 and 120-B/34 of the
Indian Penal Code.

The informant named the petitioner along with other
accused persons and alleged that accused persons kidnapped his
son Vinay Kumar on the allegation that Vinay Kumar used to talk
with the daughter of Pankaj Singh.

The learned counsel for the petitioner submits that on
the same day, Vinay Kumar was recovered by the police while he
was moving around on a road with the daughter of Pankaj Singh.
No offence under Section 364 of I.P.C is made out. The victim
Vinay Kumar did not get any injury. There was no sign of injuries

on his body. The victim made his statement under Section 164 of the Cr.P.C. and disclosed that he was brutally assaulted but the police found him in good condition. It is further submitted that the true story is that the victim and the daughter of Pankaj Singh fled away and the victim Vinay Kumar apprehended by the police along with daughter of Pankaj Singh but from perusal of the case diary, it appears that firstly after institution of the case, Pankaj Singh was apprehended and he disclosed that Sujit Singh and Kanhaiya Singh took Vinay Kumar towards Begusarai Town and on search, the police went to Begusarai Town and recovered Vinay Kumar. Vinay Kumar disclosed in his statement under Section 164 of the Cr.P.C. that he was kidnapped by the petitioner and others and was confined in a room but a lady came and asked her to flee away. Thereafter, the victim came to Begusarai where police came along with his brother and brought him to the police station.

Considering the facts that the petitioner is one of the kidnapper of Vinay Kumar, I am not inclined to enlarge the petitioner on anticipatory bail.

Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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