

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20675 of 2016

Arising Out of PS.Case No. -40 Year- 2016 Thana -GANDHIMAIDAN District- PATNA

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Roshan Kumar Son of Sri Bhola Prasad Mishra Resident of Village
Telondha, PS Sonakhar, Dist Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

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.... Opposite Party/s

Appearance :

For the petitioner : Mr. Rajesh Kr. Mishra, Advocate

For the informant : Mr. Surendra Kr. Singh, Advocate

For the State : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-07-2016 Heard learned counsel for the petitioner, informant and
the State.

The petitioner seeks bail in a case instituted under
Sections 364A and 34 of the Indian Penal Code.

Prosecution case, in brief, is that informant's husband
after closing his shop was coming in his car but did not reach at
home. Petitioner has been made accused in this case during
investigation.

It has been submitted on behalf of the petitioner that he is
in custody since 12.1.2016. Chargesheet has been submitted in the
present case. Petitioner has got no criminal antecedent. Petitioner
is not named in the F.I.R. His name has come in course of
investigation when he was apprehended on suspicion along with
other co-accused, namely, Md. Jamal Abdul Nasir. Except for
this, there is no recovery of any incriminating article from his
conscious possession. Petitioner is a student. From perusal of

Annexure-2 it is evident that there is admitted money dispute between Md. Jamal Abdul Nasir and the victim.

On behalf of the State and the informant, it is submitted that petitioner was apprehended at the petrol pump along with Md. Jamal Abdul Nasir where they went to collect ransom amount. From perusal of para-22 of the case diary it would be evident that on the disclosure of the petitioner and other co-accused the victim was recovered. The bail applications of the other co-accused have been rejected vide Cr. Misc. no. 22321 of 2016 and Cr. Misc. no. 25474 of 2016.

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

(Sudhir Singh, J)

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