

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7066 of 2017

Arising Out of PS.Case No. -97 Year- 2016 Thana -KHANPUR District- SAMASTIPUR

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Prashant Kumar @ Bhanu, Son of Uday Kumar, resident of Village -
Shahpur, P.S. - Khanpur, District - Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 06-04-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Khanpur
P.S. Case No.97 of 2016 registered under Sections 364, 365 and
120-B of the Indian Penal Code besides Sections 25(1-B)A, 26
and 35 of the Arms Act, pending in the court of the Additional
Chief Judicial Magistrate-III, Samastipur, District-Samastipur.

The allegation of the informant Shailendra Kumar
Vidyakar, the Officer Incharge of P.S. Khanpur, District-
Samastipur, is that, on the basis of the written report of Ganga
Prasad Jha, regarding the missing of his daughter, he made Sanaha
Entry No.354 and, in course of verification of Sanaha, he came to



know that the daughter of Ganga Prasad Jha has been kidnapped by this petitioner and one Suryansh Kumar and she was kept concealed in the house. On receiving such information, the informant alongwith other police officials went to the house of Uday and Rajiv, situated at village-Sahpur, and on seeing the police, the petitioner and Suryansh Kumar started to flee away but they were apprehended. On their search, the petitioner was found in possession of one country made pistol loaded with four cartridges and five empty cartridges whereas Suryansh was found in possession of 14 cartridges. On query, they disclosed about keeping the daughter of Ganga Prasad Jha near their house. At that time, Rajiv Kumar and Uday Kumar, the father of the petitioner, were also found present there. On their direction, the room of the house was opened by breaking the lock and the daughter of Ganga Prasad Jha was recovered from there, whose hands and back was found folded and she disclosed about her kidnapping by this petitioner and his brother Suryansh Kumar.

Learned counsel appearing on behalf of the petitioner submits that, in fact, there was love affair in between the petitioner and the daughter of Ganga Prasad Jha but with an ulterior motive, the petitioner and his family members have falsely been implicated in this case. The petitioner is in custody since



22.09.2016.

Having regard to the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant bail to the petitioner. Accordingly, the prayer of the petitioner for grant of bail stands rejected.

(Rajendra Kumar Mishra, J)

P.S./-

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