

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55750 of 2017

Arising Out of PS.Case No. -244 Year- 2016 Thana -PALASI District- ARRARIA

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1. Md. Taukir @ Md. Takir, Son of Md. Manzoor Alam, Resident of Village- Musal Dega, P.S.- Bahadurganj, District- Kishanganj.
 2. Mahaldeo Manjhi, Son of Late Lakhan Lal Manjhi, Resident of Village- Nakta, P.S.- Palasi, District- Araria.
 3. Md. Tahjib, Son of Sanir Uddin, Resident of Village- Musal Dega, P.S.- Bahadurganj, District- Kishanganj.
 4. Shahjama, Son of Jehruddn, Resident of Village- Musal Dega, P.S.- Bahadurganj, District- Kishanganj.
 5. Md. Bablu, Son of Late Kalimuddin, Resident of Village- Musal Dega, P.S.- Bahadurganj, District- Kishanganj.
 6. Md. Mustakeem @ Mustakeem, Son of Late Kalimuddin, Resident of Village- Musal Dega, P.S.- Bahadurganj, District- Kishanganj.
 7. Babul Shahid, Son of Late Kalimuddin, Resident of Village- Musal Dega, P.S.- Bahadurganj, District- Kishanganj.

.... 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

2 30-11-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehends their arrest in connection with Palasi P.S. Case No.244 of 2016/G.R. No.3848 of 2016 registered under Section 363 of the Indian Penal Code, pending in the court of the Chief Judicial Magistrate, Araria.

The accusation is that in the evening of 11.11.2016 at about 05.00 P.M., Chand Alam, the minor son of the informant, had gone to



see the field but he did not return. In course of his search, the informant came to know that the petitioners under conspiracy kidnapped his minor son Chand Alam.

Learned counsel appearing on behalf of the petitioners submits that the petitioners are the co-villagers of the informant and due to dispute of taking the lease of bank of river for plying the boat, the informant has falsely implicated the petitioners in this case.

The record shows that the statement of the victim, the son of the informant, was recorded under Section 164 of the Code of Criminal Procedure on 13.11.2016 in which he has disclosed the name of the petitioners to take him forcibly and keep him in a room.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer of the petitioners for grant of anticipatory bail stands rejected. However, the petitioners are directed to surrender before the trial court and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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