

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37323 of 2017

Arising Out of PS.Case No. -28 Year- 2017 Thana -NIRMALI District- SUPAUL

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Marar Yadav @ Bhupendra Yadav, son of Shivnandan Yadav, resident of
village- Mahua, P.S.-Nirmali, District-Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mithilesh Kumar Khare, APP

Mr. Arvind Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 02-11-2017

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the Informant.

Petitioner apprehends his arrest in **Nirmali P.S.**

Case No.28 of 2017 instituted for the offence under Section(s)

364-A, 120-B Indian Penal Code pending in the Court of the

Sub-Divisional Judicial Magistrate, Birpur, Supaul.

It is alleged in the written report that on the date of
occurrence while brother of the Informant was going to his house
from Nirmali and reached near the border of his village, this
petitioner along with other co-accused, namely, Pradeep Yadav,
and three unknown persons kidnapped his brother at the point of
gun and took him away in white coloured Scorpio. The villager,
Vidyanand Yadav, and others as named in the written report had
seen the alleged occurrence of kidnapping. It is further alleged



that the callers disclosed their name as Shivrath Yadav and Bhagat Yadav and demanded rupees twelve lakhs as ransom on his mobile. The Informant went to the place as directed on his mobile then two persons came to receive the amount of ransom. Thereafter, the Informant caught them and handed over to the police, who disclosed their names as Ram Sagar Yadav and Suleman @ Alauddin.

Case diary has been received.

Learned APP as well as counsel for the Informant have submitted that the victim boy has given statement under Section 164 Cr. P. C. levelling specific allegation that this petitioner along with Pradeep Yadav and three unknown persons have kidnapped him and took away in white coloured Scorpio. They handed over him to the Nepali people.

Learned APP has submitted that independent witnesses, Lalit Kumar and Shravan Kumar, in their statement before the police, in case diary, have supported allegation against the petitioner.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioner for grant of anticipatory bail is rejected.



Petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed off in accordance with law on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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