

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56278 of 2017

Arising Out of PS.Case No. -8 Year- 2017 Thana -HAZIPUR INDUSTRIAL District-
VAISHALI(HAJIPUR)

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Rakesh Sah @ Rakesh Kumar, S/o Surendra Sah, R/o Village- Patepur,
P.S.- Kartahan, Distt.- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 05-12-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Area P.S. Case No. 08 of 2017, registered under Sections 385 and 387 of the Indian Penal Code and Section 27 of the C.L.A. Act, pending in the court of Judicial Magistrate Ist Class, Vaishali at Hajipur.

The accusation is that on 12.01.2017, on the mobile of employee in the unit of M/S Avon Cycles Limited situated at Hajipur, calls were received from two mobile sets through different numbers about payment of ransom, as demanded earlier.

Learned counsel for the petitioner submits that it



would appear from the F.I.R. that regarding the payment of ransom, as demanded on the mobile of employee of M/S Avon Cycles Limited situated at Hajipur through two mobile numbers, but both mobiles are not belonging to this petitioner. In course of investigation, four persons namely, Gautam Kumar, Om Chandra Kant and Vivek Kumar, were apprehended with suspicious condition with illegal firearms and mobile sets, who disclosed that they are in the way of M/S Avon Cycles Limited situated at Hajipur for realizing the ransom, as earlier demanded and also disclosed that two persons, namely, Rakesh Sah @ Rakesh Kumar (petitioner) and Promod Kumar, succeeded to flee away on seeing the police party. One motorcycle was also recovered.

Learned counsel for the petitioner submits that in fact motorcycle seized by the police belongs to petitioner, but on parking the motorcycle in side the road the petitioner had gone in Mohallah, in the meantime, police seized his motorcycle. Further submission is that petitioner has no criminal antecedent except Industrial Area P.S. Case No. 11 of 2017, registered under Sections 414 of the Indian Penal Code and 25(1-b)a and 35 of the Arms Act.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not



inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would 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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