

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52089 of 2017

Arising Out of PS.Case No. -526 Year- 2017 Thana -NAWADA District- NAWADA

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1. Anil Malakar, son of late Madhu Malakar, resident of village-Anti, P.S.-
Kadirganj, District-Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 01-02-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Nawada Town**
(Kadirganj) P.S. Case No.526 of 2017 instituted for the offence
under Section(s) 366 Indian Penal Code pending in the Court of
the **Chief Judicial Magistrate, Nawadah.**

In the written report, there is specific allegation
against this petitioner of kidnapping the married wife of the
informant. When the informant went to enquire from the
petitioner, he gave threat to kill him. It is further alleged that this
petitioner has kidnapped his wife because she has rupees four lac
in her bank account and has one Kattha land in her name.

Case diary has been received.



Learned APP has submitted that victim is still traceless.

Counsel for the petitioner has submitted that from Annexure-2, which is Affidavit from Notary, it is clear that both are living together as husband and wife, but there is no such material in the case diary.

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 without being prejudiced by this order.

(Sanjay Priya, J)

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