

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12947 of 2018

Arising Out of PS.Case No. -9 Year- 2017 Thana -AUGARI District- NALANDA
(BIHARSHARIFF)

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1. Dharmendra Yadav @ Dharmendra Kumar, son of Yadunandan Prasad,
Resident of Village- Gonai Bigha, Police Station- Telhara, District-
Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh

For the Opposite Party/s : Mr. Yogendra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 12-04-2018 In this case, it appears that order no.2 dated 03.04.2018

was pronounced without any signature of the Court and also

without correction as made.

Order no.2 dated 03.04.2018 is recalled and following order
be treated to be passed :

“ Heard the parties.

**The petitioner is apprehending his arrest in connection
with Aungari (Pirbigha) P.S.Case No.09 of 2017 registered for
offences punishable under Sections 363, 365/34 of the Indian
Penal Code.**

**Allegation against the petitioner is of kidnapping the
minor son of the informant.**



Submission of the learned counsel for the petitioner is that boy is brother-in-law (*Sala*) of the petitioner and the informant is the father-in-law and as a matter of fact the petitioner has only brought him on the motorcycle and there is no allegation.

Heard learned A.P.P. and the learned counsel for informant. They have opposed the prayer for bail stating that the boy has also supported the prosecution case in his self-statement recorded under Section 164 Cr.P.C.

Having heard both sides and in view of the facts and circumstances, as stated above, and in view of direct allegation, it does not appear to be a case of anticipatory bail, as such the petitioner has to surrender and make prayer for regular bail, which will be considered on its own merit without being prejudiced by the order of this Court.

With the aforesaid observation, this application is dismissed.”

(Vinod Kumar Sinha, J)

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