

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 26521 of 2018

Arising Out of PS. Case No.-23 Year-2017 Thana- Naya Ram Nagar District- Munger

Amarjeet Yadav @ Amariya S/o Ganeshi Yadav @ Nawal Kishore Yadav,
resident of Village - Hasanganj, P.S. Kasim Bazar, District Munger.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Krishna Prasad Singh, Sr. Adv. Mr. Saket Kumar Singh, Adv.
For the Opposite Party/s :	Mr. Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 03-05-2018 Heard Sri Krishna Prasad Singh, learned senior counsel assisted by Sri Saket Kumar Singh, learned counsel for the petitioner and Sri Ajay Kumar Jha, learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since 28-02-2018 in Naya Ram Nagar (Sufiya Sarai) P.S. Case No. 23 of 2017 registered for offence under Section 364 of the Indian Penal Code, has prayed for grant of bail.

Learned senior counsel for the petitioner submits that from the F.I.R. itself, it is evident that alleged occurrence of kidnapping has taken place on 03-02-2017 in the night at about 9:00 PM, however; without any explanation, a written report was submitted to the police, which was received in the police station, at 9:00 PM on 04-02-2017. Learned senior counsel for



the petitioner has argued that once the informant had witnessed that his younger brother was being kidnapped by accused persons, in normal course, he would have immediately rushed to the police station, but in this case, belatedly police was informed. He further submits that almost in similar circumstances, some of the accused have been granted bail by this Court.

However, on examination of the F.I.R. itself, it is evident that informant had categorically stated that he had seen the victim with this petitioner and thereafter, one Scorpio arrived. From the said Scorpio, few other accused persons got down, they assaulted the brother of the informant and thereafter, this petitioner also supported those accused persons in loading his brother in the Scorpio and he was taken away. Besides this, on perusal of paragraph – 3 of the petition, it is evident that petitioner is having criminal antecedent.

Considering the nature of accusation and antecedent of the petitioner, there is no reason to pass favourable order.

The prayer for bail stands rejected.

(Rakesh Kumar, J.)

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