

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40361 of 2018

Arising Out of PS.Case No. -3 Year- 2018 Thana -MAUZAHDIPUR District- BHAGALPUR

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1. Sonu Dubey @ Amardeep Dubey son of Prakash Dubey @ Satya Prakash Dubey resident of village - Katghar, P.S. - Babarganj, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya

For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-07-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Mojahidpur (Babarganj) P.S.Case no.03 of 2018 registered for offences punishable under Sections 364, 307, 379/34 of the Indian Penal Code.

Allegation against the petitioner as per FIR is of kidnapping the victim by the accused persons and the petitioner is not named in the FIR and it appears that later on his named transpired in this case.

Submission of the learned counsel for the petitioner is that the victim is the informant who has not named the petitioner in the FIR and later on one another person has named the petitioner including the other accused persons.



Heard learned A.P.P. also, who has opposed the prayer for bail stating that one eye witness has named the petitioner in the statement, which will appear from the impugned order.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner rather let the petitioner surrender before the learned court below within a period of four weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on its own merit.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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