

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61742 of 2018

Arising Out of PS. Case No.-311 Year-2003 Thana- CHANDI District- Nalanda

Naresh Yadav

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman

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

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-11-2018

Heard the parties.

This application is for grant of regular bail in connection with Chandi P.S.Case No.311 of 2003 (G.R.No.1243 of 2003) for the offences under Sections 364A/34 of the Indian Penal Code.

Allegation against the petitioner as per FIR is of kidnapping the son of the informant. The petitioner is not named in the FIR and later on during the course of investigation, name of the petitioner has transpired. It further appears that the case is of the year, 2003 and the petitioner has surrendered in the court on 2.7.2018.

Submission of the learned counsel for the petitioner is that he is not named in the FIR and except suspicion there is nothing against him and two other accused persons have been



acquitted after full trial as the informant has not identified them.

Heard learned A.P.P. also, who has opposed the prayer for bail on the ground that the conduct of the accused is not proper against whom the processes under Sections 82 and 83 of the Cr.P.C. has been issued and the same has also been complied , which will appear from para 27 of the case supplementary case diary.

Having heard both sides and in view of the facts and circumstances, as stated above, and the conduct of the petitioner, I am not inclined to grant bail to the petitioner at this stage, however, once the trial is commenced and the informant is examined in this case, the petitioner is at liberty to renew his prayer for bail.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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