

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10173 of 2019

Arising Out of PS. Case No.-245 Year-2017 Thana- BALIYA District- Begusarai

SUBHAS ROY S/o Late Biranchi Roy village-Nauranga, Diara, P.S-Ballia,
Distt.-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandan Kumar Kashyap
For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 26-04-2019 This application, for grant of anticipatory bail, arises out of Ballia P.S. Case No. 245 of 2017, disclosing offences under Sections 447, 341, 342, 364/34 of the Indian Penal Code.

Allegation against the petitioner and others is of kidnapping the husband of informant and he is still traceless. Petitioner is not named in the F.I.R. but later on his name transpired during course of investigation. Apart from that petitioner is accused in four other cases.

Submission of learned counsel for the petitioner is that his name has been dragged in this case only on the basis of suspicion and except suspicion, there is absolutely nothing against the petitioner rather the petitioner was earlier assaulted by the informant side, for which he has lodged a case against the informant and others and due to which, this present false and



concocted case has been lodged.

Learned counsel for the State opposed the prayer for bail and submitted that the witnesses during the course of investigation have also suspected the hands of petitioner in kidnapping of husband of the informant.

Having heard both sides, considering the facts and circumstances as well as the fact that petitioner is an accused in four other cases, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the basis of materials available on record, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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