

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13736 of 2019

Arising Out of PS. Case No.-250 Year-2018 Thana- BABUBARHI District- Madhubani

1. Laxmeshwar Raut Son of Late Jagdish Raut
2. Sandeep Kumar Son of Ramchandra Raut, both Resident of Aurahi P.S.- Babubarhi, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Soban Asghar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-03-2019 Counsel for the petitioners seeks permission to withdraw the present application on behalf of the petitioner No.1 as the petitioner No.1 has been taken into judicial custody.

Permission is accorded.

The application on behalf of petitioner No.1 is dismissed as withdrawn.

Heard learned counsel for the petitioner No.2 and learned APP for the State.

The petitioner No.2 is apprehending his arrest in connection with Babubarhi P.S. case No.250 of 2018 registered under Sections 363, 366(A), 504/34 of the Indian Penal Code, pending in the court of A.C.J.M. IIIrd, Madhubani.

Allegation is that the accused persons including the



petitioner kidnapped the daughter of the informant.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to previous enmity. The name of the petitioner has come in the statement made by the victim. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The victim girl in her statement recorded under Section 164 Cr.P.C. has named this petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner No.2. The same is rejected.

If the petitioner No.2 surrenders before the court below and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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