

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17236 of 2019

Arising Out of PS. Case No.-20 Year-2018 Thana- PHULWARIYA District- Gopalganj

Brijesh Mishra @ Biresh Mishra, Son of Late Chandan Mishra, Resident of
Village - Chauhan Patti, P.S.- Gopalpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Siwesh Chandra Mishra, Advocate Mr. Vyas Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr. Murli Dhar, APP
For the Informant	:	Mr. Javed Aslam, Advocate

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 25-06-2019 This is an application for grant of anticipatory bail in connection with Fulwariya P.S. Case No.20 of 2018, disclosing offences under Sections 363 & 366A of the Indian Penal Code.

Allegation as per F.I.R. against the petitioner is of kidnapping the minor daughter of the informant. Petitioner is not named in the F.I.R. and his name transpired in the statement under Section 164 of Cr.P.C. of the victim girl.

Submission of the learned counsel for the petitioner is that a title suit is going on between the parties, due to which, he has falsely been implicated in this case and other accused persons have been granted bail.

Heard learned A.P.P. and the learned counsel for the informant also, who has opposed the prayer for bail.



Having heard both sides, in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail, the same shall be considered by the learned trial court on its own merit, without being prejudiced by order of this Court and also considering the fact that the other co-accused has been granted bail.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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