

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21290 of 2019

Arising Out of PS. Case No.-136 Year-2018 Thana- BIHARIGANJ District- Madhepura

Sanoj Kumar, aged about 21 years (Male), son of Lalan Kumar Yadav,
Resident of Village- Kusthan, P.S-Bihariganj, District- Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 05-04-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Bihariganj P.S. Case No. 136 of 2018,
registered for the offence under Sections 323, 341, 363 and
365/34 of the Indian Penal Code.

Allegation has been made against the petitioner to
have kidnapped the son of the informant.

Learned counsel for the petitioner submits that the
petitioner has wrongly been implicated in the present case as the
kidnapped boy has made a phone call to the petitioner that he
has been kidnapped by some unknown persons. He further
submits that the statement of the boy has been recorded after
one month and three days.



It appears from the record that the victim boy has fully supported the alleged incident and also disclosed the name of the present petitioner.

Looking to the nature of allegation, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected. However, if the petitioner surrenders before the Court below within three weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order without being influenced by the order of this Court. While deciding the bail petition, the Court below will also consider the fact that co-accused has been granted anticipatory bail by this Court.

(Shivaji Pandey, J)

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