

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78559 of 2018

Arising Out of PS. Case No.-156 Year-2018 Thana- HARNAUT District- Nalanda

Diwakar Kumar, son of Late Ramnandan Singh, resident of Village-
Kharuara, P.S. Harnaut (Chero), District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhinay Raj, Adv.

For the Opposite Party/s : Mr.Sri Nawal Kishore Prasad (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 25-02-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Harnaut P.S. No. 156 of 2018, registered for the offences punishable under Sections 364, 302, 201 and 120(B) of the Indian Penal Code.

Informant has alleged that on 29.05.2018 his brother Rakesh Kumar had gone to withdraw money from P.N.B. Harnaut and after withdrawing money petitioner and Gore Lal were also present at his house. In the meantime Manish Kumar came at his house and took his brother on motorcycle and since then there is no information about his brother. It is further alleged that petitioner along with other co-accused have kidnapped his brother with some bad intention.



It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. There is no evidence in support of conspiracy or any act against the petitioner. Petitioner has no criminal antecedent and is in custody since 06.06.2018.

Considering the facts and circumstances of the case that on confession made by petitioner the motorcycle of deceased was recovered, I am not inclined to enlarge the petitioner on bail at this stage. Hence, the prayer for bail of the petitioner is hereby rejected.

However, after completing one year of the custody, the petitioner would be at liberty to renew his prayer for grant of bail.

(S. Kumar, J)

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