

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44523 of 2019

Arising Out of PS. Case No.-22 Year-2019 Thana- SINGHIYA District- Samastipur

Raj Kishore Sharma, Son of Ravi Kumar Resident of Village-Pato Belahi,
P.S.-Singhia, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh
For the Opposite Party/s : Mr.Uday Chand Prasad

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 19-09-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in Singhiya
P.S. Case No. 22 of 2019 registered under Section 366A of the
Indian Penal Code.

Minor sister of the informant aged about 16 years
is said to have been kidnapped by four accused persons
including the petitioner on the point of pistol.

It is submitted by learned counsel for the petitioner
that the petitioner has no concern with the aforesaid
occurrence. He has been falsely implicated in the case due to
dirty village politics. As a matter of fact, victim was in love
with the co-accused Birendra Sharma and eloped with him out
of her sweet will. The allegation levelled against the



petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent. Hence he may be enlarged on bail.

On the other hand, learned APP for the State vehemently opposing the bail petition submitted that the petitioner along with three other accused persons has kidnapped the minor sister of the informant on the point of pistol. Informant happens to be eye witness of the occurrence and in his further statement he has supported the occurrence and the victim is still traceless. Hence the petitioner does not deserve anticipatory bail.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

However, petitioner is directed to surrender before the learned court below within six weeks from today and seek regular bail and the learned court below shall dispose of the bail petition of the petitioner in accordance with law without being prejudiced by this order.

(Prakash Chandra Jaiswal, J)

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