

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51064 of 2019

Arising Out of PS. Case No.-2263 Year-2014 Thana- COMPLAINT CASE District- Araria

1. RAM SAGAR SHARMA S/o Fuleshwar Sharma
2. Mithilesh Sharma S/o Hari Mohan Sharma
3. Laxman Sharma S/o Late Swarup Lal Sharma all are R/o village- Raghunathpur South, P.S.- Bhargama, Distt.- Araria

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Kaili Devi W/o Prakash Muriyari R/o village- Raghunathpur South, P.S.- Bhargama, Distt.- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 18-11-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 323, 366A of the Indian Penal Code.

The prosecution story as per the complaint petition is that on 11.08.2014 about 10-11AM while the complainant's daughter, complainant and other woman were returning from nearby village after seeing fair the accused persons kidnapped complainant's daughter by taking her on motorcycle by threatening with a pistol and managed to escape. The



complainant went to Police Station on same day at about 5 P.M but could not meet SHO. Hence, filed the present complaint petition.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implication in the present case due to grudge on account of dirty village politics. He submits that dated of occurrence is 01.08.2014 whereas the instant complaint has been filed after delay of four days i.e. 04.08.2014 and no plausible explanation has been given for the said delay.

Learned counsel for the informant submits that the victim girl is still traceless. He further submits that petitioner no. 1 and 2 have one criminal antecedent and petitioner no. 3 has four criminal antecedent.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, their payer for anticipatory bail is rejected in connection with Complaint Case No. 2263C of 2014 pending the court of the learned Judicial Magistrate 1st Class, Araria.

Accordingly, the application is dismissed. However, petitioners are directed to surrender before the learned court below and learned court below shall consider the bail



application of the petitioners on the same day.

(Anjani Kumar Sharan, J)

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