

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7998 of 2020

Arising Out of PS. Case No.-433 Year-2014 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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MUNNA KUMAR SINGH Son of Jugeshwar Singh Resident of Village -
Sahjatpur Andar Kila, P.S.- Hajipur Town, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr. Ashok Kumar
Mr.Rajiv Nayan

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 18-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard Ms. Rashmi Jha, learned counsel for the petitioner and Shri Ashok Kumar, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Kotwali (Adampur) P.S. Case No. 433 of 2014 for the offence registered under Sections 364A and 34 of the Indian Penal Code.

The case of the prosecution in brief is that the informant namely Sangita Devi Chaubey was going on the motorcycle along with her husband namely Gunjan Choubey on 08.07.2014



for the purposes of availing treatment from the doctor, however, on the way some miscreants, riding a motorcycle had intercepted them whereafter they had abused and assaulted the husband of the informant and then they had taken him on their motorcycle towards the clock tower.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he is having a clean antecedent and has been falsely implicated in the present case.

The learned A.P.P. for the State has submitted that though the FIR was registered on 08.07.2014 but the petitioner has approached this Court for grant of anticipatory bail in the year 2020 i.e. after about more than five years, hence the petitioner has got no respect for law, as such, he does not deserve the privilege of bail. It is further submitted that a bare perusal of the case diary would show that the petitioner is the owner of the motorcycle used for the commission of the alleged crime, hence the complicity of the petitioner is writ large from the records. It is further submitted that the husband of the informant has also supported the incident/occurrence in the statement made under Section 164 Cr.P.C. before the learned Magistrate. Lastly, it is submitted that the police has also found the case to be true upon investigation and has filed a charge sheet.



I have heard the learned counsel for the parties, perused the materials on record and gone through the case diary from which it is apparent that after the victim was kidnapped, he was transferred to a Bolero vehicle in which 8-10 unknown persons were sitting and thereafter the accused persons had made a ransom call to the informant from two mobile numbers, and during the course of investigation, the petitioner has been found to be the possessor of one of such mobile number. This Court further finds from a perusal of the case diary that there is ample material in the case dairy to prima facie make out a case as against the petitioner herein apart from the fact that he has been absconding since more than five years, thus I do not find any merit in the present petition, accordingly the prayer of the petitioner for grant of anticipatory bail stands dismissed.

(Mohit Kumar Shah, J)

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