

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17382 of 2020**

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Amaresh Yadav @ Amaresh Kumar son of Akhilesh Yadav @ Akhilesh Kumar, R/o village- Meeragarh, p.S.- Murliganj, District-Madhepura..... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 21-07-2020 Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Madhepura P.S. Case No. 281 of 2016 registered for the offence punishable under Section 364 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner and the informant are resident of two different villages, however, this petitioner has been involved in this case on mere suspicion saying that he had taken away the father of the informant on the pretext of getting his money back from the house of the maternal uncle of the petitioner.

It is alleged that after this petitioner left the house of the informant along with his father on 02.05.2016, thereafter he did not return. Learned counsel submits that in this case the co-accused Domi Yadav has been granted privilege of anticipatory bail in Cri. Misc. No. 53044 of 2016 by a learned Coordinate Bench of this



Court vide order dated 04.05.2017.

On the other hand, learned APP for the State has opposed the prayer for pre-arrest bail of the petitioner. It is submitted that the case is of the year 2016 and the entire FIR clusters around the allegations against this petitioner. It is submitted that since the father of the informant has not returned after he left his house along with this petitioner, it is necessary that the petitioner be taken in custody and interrogated.

Having regard to the facts and circumstances of the case wherein it appears from perusal of the First Information Report that there is an allegation against the petitioner that he had taken Rs.50,000/- from father of the informant and then on demand being made by him, this petitioner took him on the pretext of returning his money but thereafter the father of the informant did not return, considering that the case is of the year 2016 and till date the petitioner has not submitted himself to the jurisdiction of the investigating officer and the court below, this Court is not inclined to grant privilege of pre-arrest bail to the petitioner. His prayer is thus, refused.

This application is, thus, dismissed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

