

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 19914 of 2020

Arising Out of PS Case No.-218 Year-2019 Thana- HUSSAINGANJ District- Siwan

=====

Dhananjay Yadav, aged about 26 years, (M), Son of Late Bindeshwari Yadav, Resident of Village- Daroga Hata Surapur (Chhapiya), P.S.- Hussainganj, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate
For the State : Mr. Matloob Rab, APP

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 21-08-2020

The matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Heard Mr. Yashraj Bardhan, learned counsel for the petitioner and Mr. Matloob Rab, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioner is in custody in connection with Hussainganj PS Case No. 218 of 2019 dated 24.07.2019, instituted under Section 363 of the Indian Penal Code.

4. The allegation against the petitioner is of abducting the 13 years old son of the informant.



5. Learned counsel for the petitioner submitted that the FIR is against unknown persons. It was submitted that during investigation only it has come that it was the petitioner who had an affair with the daughter of the informant, had called up from three mobile phones and had informed that he had kidnapped the son of the informant because of the informant marrying the daughter somewhere else and that he would also abduct the informant and kill them. Learned counsel submitted that only on suspicion, without there being any witness or evidence, the petitioner has been made an accused and is in custody since 21.01.2020 and has no other criminal antecedent.

6. Learned APP, from the case diary, submitted that there is strong motive with regard to the abduction of the minor son of the informant by the petitioner and till date, he has not been recovered. It was submitted that the petitioner was having an affair with the daughter of the informant but she was married somewhere else and to take revenge, the same has been done. It was submitted that the informant had received such information and threat from three different mobile numbers and one has been verified and it has been found that calls did come to the mobile of the informant and with regard to other two numbers, the police



have made a requisition to the mobile company for getting the CDR.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

8. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar/Anand Kr.

AFR/NAFR	
U	
T	

