

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74526 of 2019

Arising Out of PS. Case No.-437 Year-2018 Thana- PHULWARISHARIF District- Patna

Amar Lal Rai @ Amar Rai, S/o- Ram Lal Rai R/O Tata colony, Madhepura,
P.S. Maner, Dist.- Patna (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uma Shankar Sharma

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 16-03-2020 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Phulwari-Sharif P.S. Case No. 437 of 2018, registered, for the
offence punishable under Section 364/120(B) and 34 of the Indian
Penal Code.

The allegation against the petitioner is that petitioner
along with other accused person has abducted the son of the
informant, namely, Sushil Rai.

Mr. Rakesh Kumar, learned counsel appearing for the
petitioner submits that petitioner has got no criminal antecedent and
has falsely been implicated in this case merely on suspicion
inasmuch as from perusal of the First Information Report, it is
evident that informant has alleged that son of the informant, i.e.,
victim had gone to meet the petitioner and others at the behest of



one Santosh Rai. It has also been alleged that there was dispute between the son of the informant, Sushil Rai and Santosh Rai and Binod Rai relating to transaction of sum of money. Learned counsel further submits that no cogent material has been brought on record during the course of investigation to connect this petitioner to the present offence

On the other hand, based upon the case diary, learned counsel for the State submits that during the course of investigation, it has come to the notice that one Sadhu Rai along with petitioner and others have abducted the son of the informant due to dispute between them pertaining to transaction of money and in paragraph 8 of the supplementary case diary, the witness has said that the son of the informant has been kidnapped by the petitioner and others.

After having heard learned counsel for the parties and taking into consideration the fact that the petitioner is named in the First Information Report and witness has supported the prosecution story and the victim has not yet been recovered, I am not inclined to grant anticipatory bail to the the petitioner and the prayer for the same is hereby rejected.

sanjeev/-

U		T	
---	--	---	--

(Anil Kumar Sinha, J)

