

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85743 of 2019

Arising Out of PS. Case No.-302 Year-2019 Thana- NATHNAGAR District- Bhagalpur
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VIMAL YADAV Son of Mahadev Yadav Resident of Village-Laxmanbag
Phulwaria, P.S.-Madhusudanpur, (Nath Nagar), District-Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr.Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 16-06-2020 Heard Mr. Rajive Ranjan Singh, learned
counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Nath Nagar (Madhusudanpur)
P.S. Case No. 302/2019 dated 21.06.2019 instituted for
the offences under Sections 364 and 34 of the Indian
Penal Code.

The informant has alleged that her younger
daughter, who is a widow was kidnapped in her presence
by the petitioner and his associates.



Learned counsel for the petitioner has submitted that a false case has been instituted because of earlier enmity.

The son of the so called kidnapped victim has been charged for an offence by the brother of the petitioner and, therefore, the petitioner has been made accused in this case.

It has also been stated before this Court by the counsel for the petitioner that he stands in the relation of a son- in- law of the informant. Apart from this, it has been submitted that there is no eyewitness to the occurrence.

However, looking at the nature of accusation specially that the victim was taken away in presence of the informant, I am not inclined to grant anticipatory bail to the petitioner.

This petition for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail that shall be considered on its



own merit without being prejudiced by the fact that the present petition has not been entertained and also taking into account the fact that some of the accused persons have been granted bail.

(Ashutosh Kumar, J)

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