

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87059 of 2019**

Arising Out of PS. Case No.-184 Year-2019 Thana- NAUTAN District- West Champaran

Raju Mahto, Gender-Male, Aged about 32 years, Son of Bala Mahto Resident
of Village- Mangalpur Gudariya, P.S.- Nautan, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No 7, Advocate

For the Opposite Party/s : Mrs. Madhuri Lata, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT**

Date : 19-03-2020

Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is in custody in connection with
Nautan PS Case No. 184 of 2019 dated 15.05.2019 instituted
under Section 364A of the Indian Penal Code.

3. The allegation against the petitioner is of
kidnapping the brother of the informant.

4. Learned counsel for the petitioner submitted that
he is not named in the FIR and only on suspicion has been
arrested. It was submitted that because the petitioner was
apprehended in Nautan PS Case No. 185 of 2019, he has been
also made accused in the present case. Learned counsel
submitted that there has been no recovery from the petitioner.



5. Learned APP, from the case diary, submitted that the petitioner was caught with firearm on the same day i.e., 15.05.2019 and based on his confessional statement, the police took him to the site from where the victim was recovered, with his hands tied, from the cane field.

6. 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.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

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