

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24276 of 2021

Arising Out of PS. Case No.-204 Year-2020 Thana- MOKAMAH District- Patna

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MUNCHUN YADAV @ AVINASH KUMAR SON OF SONA YADAV R/O
VILLAGE- GULAB BAGH, P.S.- BARH, DIST.- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mr.Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-08-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, office will place the matter before the Bench.

The petitioner seeks bail in connection with Mokamah P.S. Case No.204 of 2020, registered for the offence punishable under Sections 341, 323, 364/34 of the Indian Penal Code.

The allegation against the petitioner is that he along with one Sanjay Yadav has kidnapped the father of informant and demanded Rs. 2 Lakh, otherwise threatened to kill her father. Thereafter, police was informed and due to police pressure, they left her father after assaulting him.



Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. He has been falsely implicated in this case due to police mechanism and maneuvering. The allegation leveled against the petitioner is false and fabricated. No transaction in any manner has been made. The mobile from which the alleged ransom was demanded does not belongs to the petitioner. No incriminating article has been recovered from the conscious physical possession of the petitioner. The petitioner has no criminal antecedent, as mentioned in para-3 of the bail application and has been languishing in custody since 04.10.2020.

Perused the impugned order. In the impugned order, it is mentioned that petitioner has one criminal antecedent but learned counsel for the petitioner mentioned in para-3 of the bail application that the petitioner has no criminal antecedent.

Considering the aforesaid facts, without going into the merit of the case, the bail application of the petitioner is hereby dismissed on account of suppression of facts.

(Anjani Kumar Sharan, J)

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