

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29646 of 2020

Arising Out of PS. Case No.-59 Year-2020 Thana- SONO District- Jamui

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Mantu Kumar @ Manoj Kumar Bharti @ Mantu Yadav, Male, aged about 40 years, S/o Arjun Yadav, Resident of Village-Tahwa, P.S.-Jhajha, District-Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prakash Mahto, Advocate
For the State : Mr.Humayou Ahmad Khan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-02-2021 Learned counsel for the petitioner is permitted to remove the defects within four weeks.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Sono P.S. Case No. 59 of 2020 registered for the offence punishable under Section 364(A) of the Indian Penal Code.

According to the First Information Report, the prosecution case in short, is as follows :

(I) On 01.03.2020 at about 8.00 P.M. during coming Thadhi from Tilwariya near Suriya Jharna, father of the informant was kidnapped and during the same, he was assaulted by which his mirror was broken and at the place of occurrence,



broken Helmet of the culprits also was found.

(II) It is further stated that in the night 10.00 P.M., he informed the Sono Police Station.

(III) It is further alleged that on 02.03.2020 at about 6.25 A.M. on Mobile No.7277435799 of his younger brother namely Deepak Kumar, the kidnapper demanded Rs.39 Lacks as ransom and again at 11.49 P.M., they threaten to commit murder if ransom would not be given.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. On the basis of confessional statement of the co-accused, petitioner has been made accused in the present case. He further submits that the victim was also not taken the name of the petitioner.

Learned A.P.P. for the State has opposed the prayer for bail.

In the facts and circumstances of the case, since the case is under Section 364(A) of I.P.C., I am not inclined to enlarge the above named petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the above named petitioner in connection with Sono P.S. Case No.59 of 2020 pending in the court of learned C.J.M., Jamui is hereby rejected.



However, the petitioner is directed to surrender before the court below and the learned court below shall pass the order on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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