

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.31911 of 2020

Arising Out of PS. Case No.-2 Year-2020 Thana- SINGHWARA District- Darbhanga

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Dilip Kumar Singh @ Bhulawan Singh, aged about 48 years (Male), Son of
Rajeshwar Singh, R/O Village - Gorigama Dih, Gorigama, P.S. - Meenapur,
District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the State : Mr. Md. Arif, APP
For the Informant : Mr. Syed Maslehuddin Ashraf, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 02-03-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Krishna Kant Singh, learned counsel for the petitioner; Mr. Md. Arif, learned In-charge Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State as Ms. Nirmala Kumari, learned APP, who has been assigned the brief, neither responded to the call made by the Technical Assistant nor appeared in the proceeding and Mr. Syed Maslehuddin Ashraf, learned counsel for the informant

3. The petitioner apprehends arrest in connection with



Singhwara PS Case No. 02 of 2020 dated 06.01.2020, instituted under Section 364A of the Indian Penal Code.

4. The allegation against the petitioner, though not named in the FIR, is of kidnapping the son of the informant.

5. Learned counsel for the petitioner submitted that no allegation has been made against him in the FIR and only on the confessional statement of co-accused he has been implicated. It was submitted that the victim was recovered and even in the statement under Section 164 of the Code of Criminal Procedure, 1973, he has not been named. Learned counsel submitted that the petitioner has no criminal antecedent.

6. Learned APP submitted that the petitioner has been named as a person who was party to the said kidnapping.

7. Learned counsel for the informant submitted that the victim was recovered after two and a half months and rupees five crores ransom was demanded. It was further submitted that right after recovery he was produced before the Court and not being in a fit state of mind, he could name only a few persons and not the entire gang, but later on when he regained his composure he has taken the name of the petitioner also and he has played an active role in the kidnapping.

8. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, the Court is not inclined to grant pre-arrest bail to the petitioner.

9. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

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