

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5035 of 2021

Arising Out of PS. Case No.-154 Year-2019 Thana- KUMAR KHAND District- Madhepura

Parmanand Sardar @ Malawala, aged about 60 years, male, Son of Late Dulai Sardar, Resident of Village- Bhokraha P.S.- Kumarkhand, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 26-10-2021 Heard Mr. Shekhar Kumar Singh, the learned Advocate for the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Kumarkhand (Bhatni O.P.) P.S. Case No. 154 of 2019, dated 21.08.2019, instituted for the offences under Sections 363, 365, 420, 120(B) and 34 of the Indian Penal Code.



It has been alleged in the F.I.R. that the informant and his brother, who are dwarf persons, were kept confined at the house of the petitioner for a while. Later, they were recovered at the instance of the police.

The learned counsel for the petitioner has submitted that the main accusation is against one Shahnwaz @ Sinus, who has been granted regular bail. He further submits that there does not appear to be any motive of the petitioner in keeping the victims in confinement and the victims have also not named him in their statement under Section 164 Cr.P.C.

However, regard being had to the fact that the informant and his brother have been recovered from the house of the petitioner by the police, I am not inclined to grant anticipatory bail to him.

The prayer for grant of anticipatory bail to the petitioner is, accordingly, rejected.

However, if he surrenders before the Court below and seeks bail, the Court below, after taking into account the afore-noted facts, shall pass orders in accordance with law



without being prejudiced by the fact that the present anticipatory bail application on his behalf has not been entertained by this Court.

The application stands dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

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