

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12440 of 2021

Arising Out of PS. Case No.-586 Year-2015 Thana- BANKA District- Banka

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RANJEET YADAV Son of Biro Yadav, Resident of Village - Domuhan, P.S. -
Banka, District – Banka. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar
		Mr. Vikas Kumar
For the Opposite Party/s :		Mr. Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

5 18-04-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner and Mr.

Shailendra Kumar, the learned Additional Public Prosecutor for

the State.

The petitioner apprehends his arrest in connection

with Banka P.S. Case No. 586 of 2015 registered for offence

punishable under sections 363 and 364 of the Indian Penal

Code.

As per allegation, Bittu Kumar, the son of informant

had gone to attend the call of nature, but he did not return.

During investigation, co-accused Binod Yadav was apprehended

and he confessed his guilt and also named the present petitioner.



The learned counsel for the petitioner has submitted that as per allegation, the victim Bittu Kumar was going to attend the call of nature by bicycle, which is unbelievable. He has also submitted that there is delay in lodging the FIR and other co-accused persons, namely, Binod Yadav, Shanti Yadav and Mali Yadav, whose names have been figured in the statement under section 164 of the Code of Criminal Procedure, 1973 (herein after referred to as 'the Code'), have been granted regular bail by the coordinate Bench of this Court, vide order dated 16.03.2016 passed in Cr. Misc. No. 3275 of 2016, order dated 20.04.2018 passed in Cr. Misc. No. 23003 of 2018 and order dated 09.07.2018 passed in Cr. Misc. No. 26601 of 2018.

The victim Bittu Kumar, in his statement under section 164 of the Code, has named the present petitioner and also levelled allegation that he along with other co-accused persons had kidnapped him.

Considering the above mentioned facts and circumstances, the petitioner is directed to surrender before the court below and make a prayer for regular bail. I do not see any reason as to why the same benefit should not be granted to the petitioner when the co-accused Binod Yadav, Shanti Yadav and Mali Yadav have been granted regular bail as mentioned above.



With these observations/ this anticipatory bail petition
is disposed of.

Office shall ensure that all defects are removed by the
petitioners within the stipulated time mentioned hereinabove,
failing which, the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey, J)

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