

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24163 of 2021**

Arising Out of PS. Case No.-1018 Year-2019 Thana- ARARIA District- Araria

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Md. Ramjan @ Ramjan Son Of Md. Lukman R/O Village- Bochi, P.S.-
Bairgachhi, Dist.- Araria, Bihar-854311 Petitioner/s

Versus

The State Of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma
For the Opposite Party/s : Mr. APP

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 03-02-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Araria (Bairgachhi) P.S. Case no. 1018 of 2019 instituted
for the offence punishable under Sections 363 and 366 of the
Indian Penal Code.

As per allegation in the FIR, petitioner along with
other co-accused persons had kidnapped the informant with a
view to marry her.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. There is no eye witness to the occurrence while occurrence is of broad daylight which falsifies the prosecution story. There is contradictory in the statement of the victim recorded under Section 164 Cr.P.C. and the FIR. He has got no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of bail and submitted that victim has made direct allegation of kidnapping and threatening against the petitioner in her statement recorded under Section 164 Cr.P.C. . From perusal of para 27 and 43 of the case diary it appears that Investigation Officer has found the case true against the petitioner.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of kidnapping against the petitioner, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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