

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8822 of 2021**

Arising Out of PS. Case No.-270 Year-2018 Thana- BIRPUR District- Supaul

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Samiulla @ Md. Samiulla Son Of Abdul Hakim R/O - Olipur, P.S.- Manihari,
District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Sanjeev Kumar Singh, Advocate
For the State	:	Mr. APP
For the informant	:	Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-01-2022 Due to the third wave of COVID-19 Pandemic, the
matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant through
virtual mode.

Prosecution case, in short, is that the petitioner
kidnapped the husband of the informant and demanded ransom
of Rs.16 lacs, otherwise he was threatened of dire consequences.

On behalf of the petitioner, it has been submitted that
the victim has been recovered and his statement under Section



164 Cr.P.C. has been recorded. From perusal of the said statement of the victim, which is Annexure 2 to the present application, it is evident that the victim has left the house out of his own will. Further it has been submitted on behalf of the petitioner that the victim had taken Rs.16 lacs from the petitioner for providing government job. In pursuance of the same, a fake appointment letter was given by the victim to the petitioner. When the petitioner came to know regarding the same, he asked the victim to return his money, which he had given to the victim. Apparently, there was a dispute between the parties in respect of the money given by the petitioner to the victim for seeking government job. Said fact is evident from perusal of Annexure 3 to the present application, which is a Complaint Case filed by the petitioner against the informant and the victim.

On behalf of the informant, it has been submitted that the process under Sections 82 and 83 of Cr.P.C. has already been issued against the petitioner. In the said circumstances, the present anticipatory bail of the petitioner is not maintainable.

Hence, counsel for the petitioner seeks permission to withdraw the present application with a liberty to make prayer for regular bail before the court below.



Permission is accorded.

Accordingly, the present application for anticipatory bail stands dismissed as withdrawn, in connection with Birpur P.S. case No.270 of 2018 pending in the court of A.C.J.M., Birpur, Supaul.

If the petitioner surrenders before the court below and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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