

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12272 of 2023

Arising Out of PS. Case No.-389 Year-2021 Thana- EKMA District- Saran

Munna Ram S/O Singashan Ram R/O Village- Nawalpur, P.S- Daraundha,
District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Ekma P.S.
Case No. 389 of 2021 dated 01.10.2021 registered for the
offences punishable under Sections 366 and 34 of the Indian
Penal Code pending in the Court of learned C.J.M., Saran.

As per the prosecution case, the allegation against
the petitioner is that he along with other co-accused person
kidnapped the wife of the informant.

Learned counsel for the petitioner submits that no
such occurrence as alleged ever took place. He has been falsely
implicated in this case. The allegation levelled against the
petitioner is not specific rather general and omnibus in nature.
He submits that the occurrence took place on 30.08.2021 and
the F.I.R. was lodged on 01.10.2021, after delay of nearly one



month and there is no explanation regarding the delay, which creates serious doubt on the prosecution case. Similarly situated co-accused have been granted privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated 01.09.2022 passed in Cr. Misc. No. 20563 of 2023. The petitioner has got no criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State vehemently opposing the bail petition submitted that there is specific overt act against the petitioner. Hence, he does not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

anand/-

U		T	
---	--	---	--

